United Nations A/HRC/37/9

General Assembly

Distr.: General
2 January 2018

Original: English

Human Rights Council
Thirty-seventh session
26 February–23 March 2018
Agenda item 6
Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Guatemala

* The annex is being issued without formal editing, in the languages of submission only.

GE.17-23481(E)
1723481

Please recycle

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-eighth session from 6 to 17 November 2017. The review of Guatemala was held at the 6th meeting, on 8 November 2017. The delegation of Guatemala was headed by the President of the Presidential Commission for Coordinating Executive Policy in the Field of Human Rights, Jorge Luis Borrayo Reyes. At its 14th meeting, held on 14 November 2017, the Working Group adopted the report on Guatemala.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Guatemala: Croatia, Ecuador and India.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Guatemala:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/28/GTM/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/28/GTM/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/28/GTM/3 and Corr.1).

4. A list of questions prepared in advance by Belgium, Brazil, Liechtenstein, Norway, Portugal, Slovenia, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay was transmitted to Guatemala through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation of Guatemala reiterated its firm commitment to respecting, guaranteeing and promoting human rights. It recalled the historic result of the peaceful demonstrations the Guatemalan people had held at the national level in September 2015, which had, without any bloodshed, led to the resignation of the President and Vice-President of the Republic of Guatemala. They had been accused of corruption and their cases were currently before the national courts.

6. The capacity of Guatemala to overcome that political crisis had demonstrated the solidity of the Constitution and the proper functioning of State powers. Congress had appointed a transition Government and the sovereign expression of the Guatemalan people had culminated in the election of the fiftieth President of Guatemala, Jimmy Morales Cabrera, for the period 2016–2020.

7. Guatemala was grateful to all the States that had participated in its second universal periodic review, and noted that of the recommendations issued at that review, it had accepted 111 and noted 27. It had also made 5 voluntary commitments. Guatemala was keen to report on the significant action it had taken to implement the recommendations.

8. There were 63 State policies currently in force, 33 of which had been approved between 2012 and 2017. A national human rights policy was currently being drafted for the period 2017–2021.

9. Guatemala made every effort to comply with its international commitments concerning the submission of periodic reports to the United Nations human rights treaty bodies and to facilitate the visits of the special procedures of the Council, among others.

10. Since 2005, at the initiative of the Government, OHCHR in Guatemala had been in operation and its mandate had been renewed by the President of the Republic in September 2017. Guatemala was pleased that the United Nations High Commissioner for Human Rights was to visit Guatemala in November 2017.

11. The delegation highlighted the tripartite agreement that the Government, workers' representatives and employers' representatives had signed, which had resolved the complaint that had been brought under article 26 of the Constitution of the International Labour Organization (ILO).

12. In May 2014, the Public Policy for Coexistence and Elimination of Racism and Racial Discrimination and a policy on the institutionalization of entities with specialized mandates to address the rights of indigenous peoples had been approved.

13. Several instruments had been adopted to address the scourge of trafficking in persons. One example was a protocol for inter-agency coordination on protection and assistance for victims of human trafficking, which had been adopted in 2015.

14. Guatemala was immersed in a process of national reconciliation concerning enforced disappearances. There was a significant degree of approval in Congress for draft law 3590 on the creation of a national commission for the search for victims of enforced disappearance and other forms of disappearance, and for the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance.

15. Meanwhile, there were national mechanisms in place, such as the special investigation procedure of the Human Rights Advocate, and cases were under investigation by the Office of the Prosecutor for Human Rights.

16. Regarding the fight against impunity, the Anti-Corruption Division of the Public Prosecution Service had expanded, and was currently composed of 12 prosecutors' offices, one of which was located within the Office of the Comptroller General. There had been an increase in the number of complaints regarding acts of corruption between 2012 and June 2017, and a total of 247 sanctions had been imposed during that period.

17. The Government had renewed the mandate of the International Commission against Impunity in Guatemala for an additional two years in order to enable it to continue investigating parallel bodies and clandestine security organizations. Guatemala acknowledged the support that the International Commission had provided to the Public Prosecution Service and the National Civil Police in the transfer of capacities in the processes of investigation and criminal prosecution.

18. In relation to the right to identity, in 2015 the National Registry Office had launched a pilot project for an early birth notification system. In the light of its positive impact, the system had been implemented in 2016. Between 2013 and 2016, some 239 registry desks had been opened with a view to identifying unregistered children. As a result, 443,774 persons had been registered.

19. The official adoption process had been approved and between 2012 and 2014, the relevant institutions had reviewed 116 files on pending adoptions, of which 4 remained to be finalized. Some anomalies had been identified and the persons involved had been apprehended.

20. On 3 November 2014, the Chixoy Policy had been approved, and a verification and follow-up board had been established in 2015. The implementation of individual compensation had been agreed and between 2015 and 2016, payments had been made to some 1,929 families.

21. In response to the precautionary measure issued by the Inter-American Commission on Human Rights in favour of the patients of the Federico Mora National Mental Health Hospital, several actions had been taken, including the withdrawal of the National Civil Police from the facilities and the review and updating of protocols for admission, management and treatment of patients with mental health problems.

22. The Office for the Analysis of Attacks against Human Rights Defenders in Guatemala was coordinated by the Vice-Ministry of Security of the Ministry of the Interior,

with the participation of judges, journalists, union leaders and lesbian, gay, bisexual, transgender and intersex persons.

23. In follow-up to the recommendations of the Committee on the Rights of Persons with Disabilities, an action plan had been launched for the period 2017–2021.

24. Guatemala underscored its commitment to the Sustainable Development Goals. The education and health conditional monetary transfers were an example of the social programmes in place aimed at implementing policies in the field of education, health, nutrition and productivity for people living in poverty and extreme poverty. Another example was the Family Farming Programme, which was aimed at strengthening the rural economy and contributing to the reduction of chronic malnutrition among children under 2 years of age.

25. The new Migration Code had entered into force in April 2017. It included provisions to strengthen migratory security and recognized the full right to migrate and respect for the rights of migrants.

26. The Public Criminal Defence Institute had brought two cases before the Inter-American Court of Human Rights that had enabled the Supreme Court of Justice to review and commute the death penalty to imprisonment for previous and subsequent cases. On 24 October 2017, the Constitutional Court had upheld the application for constitutional review brought against the application of the death penalty contained in the Criminal Code and the law against drug trafficking.

27. In order to strengthen efforts to address violence against women, the Supreme Court of Justice had increased the number of specialized judicial bodies to 29 in 12 of the 22 departments of the country.

28. The judiciary, the Public Prosecution Service and the Public Criminal Defence Institute had all adopted policies on gender equality and access to justice, and had set up monitoring mechanisms for their implementation. In March 2017, the Public Prosecution Service had created the Women's Secretariat, which was the unit responsible for promoting gender equality policies within the institution.

29. The judiciary had strengthened the Control, Monitoring and Evaluation Unit of the specialized bodies in femicide and other forms of violence against women. In August 2016, the Office of the Prosecutor for Femicide Cases had been created.

30. To meet the basic needs of the people and families affected by judicial eviction provisions, the Government was launching a humanitarian programme based on respect for international protocols, which provided comprehensive care to those groups.

31. In response to recommendations from States contained in previous reports, Guatemala had taken measures to deinstitutionalize children, taking into account the best interests of the child. The Government regretted the tragedy in the Virgen de la Asunción children's home, and had taken urgent measures to ensure that all relevant institutions better coordinated their plans, programmes and actions to take care of vulnerable and unprotected children.

32. Guatemala was continuing to take steps to implement SIMORE, the system to monitor human rights recommendations addressed to it, which was a public online platform to monitor the implementation of international human rights recommendations. Under the lead of the Presidential Human Rights Commission, the system would function with the participation of all State institutions, and would include all their actions that responded to recommendations issued by human rights protection bodies. With the support of Paraguay, the process would be finalized in 2018. The system should also serve to strengthen the participation of civil society organizations at the national level in efforts to follow-up on the recommendations of the universal periodic review and other human rights bodies.

B. Interactive dialogue and responses by the State under review

33. During the interactive dialogue, 68 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

34. Egypt commended the efforts made by the Government to improve the human rights situation in Guatemala and the implementation of recommendations made during the previous cycle. It also welcomed the steps Guatemala had taken to bolster economic, social and cultural rights.

35. El Salvador congratulated Guatemala for ratifying most human rights instruments and for incorporating their principles into national law. It welcomed the implementation of best practices to improve the integration and protection of vulnerable groups and of policies to counter human trafficking and torture.

36. Finland commended Guatemala for the national consultations that had been held with civil society and agreed that there was a need to decentralize the International Commission against Impunity in Guatemala to all regions and to protect judicial officials and human rights defenders. It noted that violence against women remained alarmingly prevalent and that awareness-raising to counter that scourge was urgently required.

37. France welcomed the adoption by Guatemala of judicial reforms and the progress it had made in combating impunity through the work of the International Commission against Impunity in Guatemala. It welcomed the fact that the Public Prosecution Service had been strengthened and the 2016 reform establishing judicial independence.

38. Georgia noted with appreciation the significant results Guatemala had achieved in the fight against corruption and impunity, and highlighted the cooperation between the International Commission against Impunity in Guatemala and Attorney General's Office.

39. Germany commended Guatemala for its achievements concerning the rights of indigenous peoples and children. It appreciated the fact that civil society stood against corruption and impunity, and took note of the request by Guatemala to renegotiate the mandate of the International Commission against Impunity in Guatemala. It was concerned about serious human rights issues.

40. Ghana welcomed the efforts to strengthen the Special Criminal Investigation Division within the National Civil Police and noted with concern that the advisory council of the national office for the prevention of torture was yet to be operational.

41. Greece noted with appreciation the positive steps taken by Guatemala to combat illiteracy, provide adequate housing for all and draw up the Policy on Gender Equality and Promotion of Women's Human Rights.

42. Haiti welcomed the progress Guatemala had made in the fight against impunity, in the abolition of the death penalty in civil cases and in its adoption of the National Strategy to Prevent Chronic Malnutrition 2016–2020.

43. The Holy See noted the efforts of Guatemala to strengthen health care and social and housing programmes for all and to increase the level of literacy among children and adults, thus establishing a multicultural society. It highlighted the initiatives that had been taken to ensure food security for children.

44. Honduras welcomed the adoption of the Public Policy for Coexistence and Elimination of Racism and Racial Discrimination and the development of the National Strategy to Prevent Chronic Malnutrition 2016–2020.

45. Iceland stated that, while it welcomed the progress made in the protection and promotion of human rights since the second universal periodic review of Guatemala, there was still room for much improvement.

46. India noted with appreciation the implementation of the Zero Hunger Pact Initiative and encouraged Guatemala to remain steadfast in its efforts to promote human rights.

47. Indonesia welcomed the creation of the child protection system in Guatemala and its programmes addressing racial discrimination. It considered that cooperation with national human rights institutions was essential in that regard.

48. Iraq commended Guatemala for its progress in combating corruption, impunity and criminal organizations. It welcomed the Public Policy for Coexistence and Elimination of Racism and Racial Discrimination, the National Strategy for the Prevention of Malnutrition and the establishment of the Indigenous and Intercultural Affairs Cabinet.

49. Ireland encouraged Guatemala to continue addressing the continued inequality and exclusion of indigenous people. It welcomed the publication of a procedural guide for consulting peoples. It noted that harassment, intimidation, attacks and criminalization of human rights defenders remained issues of grave concern in Guatemala.

50. The United Kingdom of Great Britain and Northern Ireland welcomed efforts to protect women from violence and tackle impunity and corruption. It expressed concern about the lack of progress on justice reform and urged Guatemala to protect the rights of human rights defenders and the freedom of the press.

51. Italy commended Guatemala for its positive developments in justice reform and appreciated its efforts to address violence against women and children.

52. Libya welcomed the efforts made by Guatemala to implement previous review recommendations, notably on promoting human rights and the rule of law. It commended Guatemala for the adoption of the Public Policy for Coexistence and Elimination of Racism and Racial Discrimination and for its efforts to protect justice officials and human rights defenders.

53. Lithuania noted with appreciation the voluntary commitments Guatemala had made and its efforts and the results it had achieved in the fight against impunity.

54. Luxembourg welcomed the national dialogue on justice reform and noted that it was an important step to ensure access to justice and the independence of the judiciary. Luxembourg expressed concern about the situation of human rights defenders and journalists.

55. Malaysia praised Guatemala for its efforts to address chronic malnutrition through its Zero Hunger Pact Initiative, and to enhance women's productive capacity by helping them to establish small and micro-businesses. It commended Guatemala for its training programmes for indigenous women.

56. Maldives welcomed the general government policy for 2016–2020, which was aligned with the "Our Guatemala 2032" National Development Plan. It also welcomed the National Strategy to Prevent Chronic Malnutrition and the inclusive model to develop and strengthen the network of health services and human resources.

57. Mexico commended Guatemala for the establishment of its inter-agency anti-trafficking commission and the progress made by the National Literacy Committee, the programmes on nutrition and care of women in vulnerable situations.

58. Montenegro acknowledged the progress Guatemala had made in combating corruption and impunity and encouraged it to strengthen its efforts to create an enabling environment for children, especially by prohibiting corporal punishment. Montenegro voiced concern about the high rates of violence against women and asked Guatemala to elaborate on its plans to raise awareness of that phenomenon.

59. Morocco welcomed the efforts of Guatemala to improve human rights, noting the measures it had taken to guarantee the right to food, reduce maternal and child mortality, combat violence against women, promote women's political participation, protect children and promote the rights of children with disabilities.

60. The Netherlands welcomed the efforts made to promote human rights in the police and the judiciary, and highlighted the importance of the International Commission against Impunity in Guatemala in combating organized crime. It was concerned that many challenges remained, particularly concerning ill-treatment of human rights defenders and journalists, among others.

61. New Zealand highlighted the fact that the national mechanism for the prevention of torture was still not operational. It voiced concern about the prevalence of gender-based violence and the legal status of the death penalty, while commending the country's efforts to abolish it.

62. Nicaragua acknowledged the progress made since the previous review, particularly the legislative and political efforts Guatemala had made to combat human trafficking and eradicate racism and racial discrimination.

63. Norway commended Guatemala for the progress made by the Public Prosecution Service to increase justice and reduce impunity. It was concerned about the increased levels of poverty, which particularly affected indigenous peoples and needed to be addressed with coherent strategies.

64. Pakistan appreciated the adoption of the Public Policy for Coexistence and Elimination of Racism and Racial Discrimination. It commended Guatemala for its efforts to address human trafficking, notably the adoption of the protocol for inter-agency coordination on protection and assistance for victims of human trafficking.

65. Panama acknowledged the challenges Guatemala faced relating to organized crime. It commended its efforts to strengthen the human rights legal and institutional framework, and welcomed the national agreement to protect labour rights, including the right to form trade unions.

66. Paraguay raised concern about the high rate of femicide and violence against women, and indigenous women's vulnerability. It welcomed measures to empower vulnerable groups, promote indigenous women's rights, prevent domestic violence and promote gender equality, including the increase in the legal age of marriage.

67. Peru commended the efforts of Guatemala to implement the recommendations from the previous review. It highlighted the progress made to combat corruption and impunity and to promote indigenous peoples' right to health, education and culture.

68. The Philippines commended Guatemala for its efforts to advance women's rights, encourage their participation in society and promote their empowerment through its Policy on Gender Equality and Promotion of Women's Human Rights. It welcomed the policies that had been introduced to protect migrants' rights.

69. Portugal commended Guatemala for its efforts to address violence and insecurity, which had resulted in fewer violent deaths during the previous two years.

70. The Republic of Korea commended the Government for its active role in increasing access to public education and its focus on providing public health services. It welcomed the progress made in judicial reform.

71. Serbia commended Guatemala for its efforts to empower women, particularly rural and indigenous women. It welcomed the adoption of the Policy on Gender Equality and Promotion of Women's Human Rights, which was in line with international standards.

72. Sierra Leone commended Guatemala for its National Development Plan, its prison reform policy, its efforts to tackle malnutrition through the National Strategy to Prevent Chronic Malnutrition and its Zero Hunger Pact Initiative. Sierra Leone requested information on action concerning Guatemalans of African descent.

73. Singapore welcomed the reactivation of the National Coordinating Body for the Prevention of Domestic Violence and Violence against Women. It acknowledged the efforts of Guatemala to improve public health, education, housing and employment programmes and commended its "My Golden Years" programme for the elderly.

74. Slovakia regretted that the death penalty was still legal in Guatemala. It welcomed the road map for the prevention and elimination of the worst forms of child labour, but noted that child labour cases were still being reported despite targeted inspections.

75. Slovenia encouraged Guatemala to implement measures to prevent violence against women and girls and to bring the perpetrators to justice through the allocation of sufficient

resources to ensure victims had access to justice. Slovenia commended Guatemala for its recent progress in addressing extrajudicial killings and corruption.

76. Spain commended Guatemala for its efforts to implement previous recommendations, the improvements it had made within human rights institutions and its progress in combating violence against women. It was concerned that minors were placed with convicted criminals in some State-run care institutions. It referred to the situation of human rights defenders.

77. Sweden noted that gender-based violence and violence against lesbian, gay, bisexual, transgender and intersex persons was frequent in Guatemala, despite the measures that had been taken to strengthen the legal framework and address that phenomenon. Sweden noted that, in some cases, ordinary court judgments took into account human rights and a gender perspective, but prevention, resource allocation and implementation remained challenges.

78. Switzerland welcomed the results achieved in fighting corruption in Guatemala and the Constitutional Court decision on the unconstitutionality of the death penalty for civil offences, which it hoped would prompt the abolition of capital punishment. Switzerland was concerned that human rights defenders faced intimidation, attacks and reprisals and that indigenous populations faced discrimination.

79. Timor-Leste commended Guatemala for holding national consultations to prepare for the universal periodic review. It appreciated the adoption of a new hospital care protocol for victims of sexual violence and the establishment of a child protection system.

80. Ukraine welcomed the efforts of Guatemala to adopt the Institutional Strategic Plan, to extend the National Reparations Programme and to sign an agreement with Paraguay to install the SIMORE system. It was concerned about attacks on journalists and the lack of accountability for human rights violations.

81. Israel welcomed the adoption of the "Our Guatemala 2032" National Development Plan, the Comprehensive Differentiated Health Strategy for Transgender Persons in Guatemala 2016–2030, the National Strategy to Prevent Chronic Malnutrition 2016–2020, the Telematic Surveillance Act, the inter-agency anti-trafficking commission, the child protection system and the child pornography unit.

82. The United States of America commended Guatemala for its efforts to combat impunity and ensure institutional continuity, while expressing concern at the ousting of the Commissioner of the International Commission against Impunity in Guatemala and the criminalization of and violence against human rights defenders, journalists and justice sector staff.

83. Uruguay welcomed the national consultation that had been conducted with civil society organizations, which had identified as priorities for Guatemala the need to address violence against women and the situation of indigenous people. It praised the establishment of a Sexual Diversity Unit within the Office of the Human Rights Advocate.

84. The Bolivarian Republic of Venezuela took note of the efforts of Guatemala to uphold human rights. It was, however, concerned at the lack of independence of the judiciary, which was allegedly permeated by criminal organizations, resulting in impunity. It urged Guatemala to investigate all cases of killing, intimidation, violence, arbitrary detention and defamation of human rights defenders and journalists. It raised concern about violence against children and young people in State-run care institutions.

85. Algeria welcomed the progress made by Guatemala on the promotion and protection of human rights, particularly in the areas of development, racial discrimination, human trafficking, penitentiary reform, child protection and sexual violence.

86. Angola commended Guatemala for the progress made in the social and economic sectors. It noted with concern, however, the difficulties concerning access to health and education, and regarding child labour.

87. Argentina welcomed the ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

88. Armenia appreciated the voluntary submission by Guatemala of midterm reports and the adoption of the Public Policy for Coexistence and Elimination of Racism and Racial Discrimination, as well as the steps taken to reduce malnutrition, especially in rural areas, and to establish protection mechanisms for vulnerable groups.

89. Australia welcomed the progress Guatemala had made to ensure gender equality and improve the health and well-being of lesbian, gay, bisexual, transgender and intersex persons. It was concerned by reports of a lack of independence of the judiciary, that women and transgender and transsexual persons faced violence, and that human rights activists faced threats and were heavily penalized.

90. Azerbaijan commended Guatemala for its commitment to the universal periodic review process, the progress achieved since the previous cycle and its constructive cooperation with the United Nations human rights mechanisms.

91. Bahrain noted with satisfaction the implementation of the Zero Hunger Pact Initiative, but voiced concern at the spread of violence against women, racism and discrimination, particularly against indigenous and Afro-descendant women. It called on Guatemala to swiftly resolve that issue.

92. Belgium acknowledged that Guatemala was taking positive steps to implement the recommendations it had accepted during its second review. However, further progress could be achieved to prevent and address violence against women and in the fight against impunity.

93. The Plurinational State of Bolivia welcomed the Inter-agency Forum and the national consultations that had been held with civil society organizations. It expressed concern about the lack of consultation with indigenous peoples, and the obstacles for them to access their rights.

94. Burkina Faso congratulated Guatemala for the progress it had made since the last review. However, several challenges remained, particularly in the areas of security, justice, violence against women and the rights of children and indigenous peoples.

95. Canada urged Guatemala to fulfil its commitment to reduce chronic malnutrition by 10 per cent, including through the development of a comprehensive policy to address food insecurity. It welcomed the Constitutional Court ruling that the death penalty was unconstitutional.

96. Chile expressed concern about the fact that indigenous peoples continued to be victims of racial discrimination, inequality and exclusion and that, as long as inequalities between men and women persisted, indigenous women would experience double discrimination.

97. Costa Rica stated that, despite the measures that had been taken, chronic malnutrition among children, particularly in rural areas, continued to be widespread. It also expressed concern about discrimination against indigenous peoples.

98. Côte d'Ivoire welcomed the adoption of legislative and institutional reforms with a view to protecting and promoting human rights in the country. It encouraged Guatemala to continue its efforts in the field of human rights.

99. Denmark stated that protecting the sexual and reproductive health and rights of women and girls was of paramount importance. It noted that Guatemala had established a national mechanism for the prevention of torture, which was, however, not yet operational.

100. Ecuador welcomed efforts to implement the recommendations from the second review cycle, particularly the adoption of the Institutional Strategic Plan 2017–2021, aimed at ensuring the coordination of public policies and national legislation in order to consolidate the development and strengthening of national institutions.

101. Brazil welcomed the efforts of Guatemala to ensure all citizens' enjoyment of human rights. It suggested that Guatemala adopt effective measures to protect the life and physical integrity of lesbian, gay, bisexual and transgender persons.

102. The judiciary and the Supreme Court of Justice of Guatemala welcomed the boost to the draft law on a national sex offender registry and a genetic databank and the security measures granted to victims of domestic violence and femicide. It underscored the measures that had been taken to safeguard the freedom of individuals and to combat overcrowding in prisons through alternatives to incarceration, as well as to follow-up the cases of victims of the fire at the Virgen de la Asunción children's home.

103. The Public Criminal Defence Institute of Guatemala underscored its work on gender issues, women's rights, human rights and disadvantaged groups, including patients at the Federico Mora National Mental Health Hospital. It drew attention to the work of the national office to coordinate legal aid for women who had been the victims of any form of violence and for affected family members, the cultural training provided to judges on indigenous law, and the use of early release of prisoners as a means of combating overcrowding.

104. The Public Prosecution Service of Guatemala highlighted the creation of a protocol for inter-agency coordination on protection and assistance for victims of human trafficking, and a general directive regulating the activities of the assistance, coordination and intervention mechanisms of the service responsible for victim assistance and criminal prosecution of trafficking cases. It underscored the work of the child protection system and the child pornography unit, as well as the creation of the Children and Young Persons Section.

105. The Ministry of the Interior of Guatemala drew attention to the establishment of the Sexual Crimes Unit and the Anti-Trafficking Unit, the ratification of the Arms Trade Treaty, the financial support aimed at preventing domestic violence and violence against women, the improvement of internal and external security according to the new penitentiary management model, and the creation of the first detention centre for women under that model. The Government was committed to continuing its efforts to protect the life and physical integrity of human rights defenders and journalists.

106. The Ministry of Labour and Social Welfare of Guatemala highlighted the adoption of the national employment policy, the promotion of the workplace breastfeeding strategy and the inclusive employment policy for persons with disabilities. It reported on progress achieved in the eradication of child labour, the reform of the Labour Code, under which the labour inspectorate could issue sanctions, and draft law 5199 on bringing national legislation into accordance with international treaties, particularly the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), which was currently before Congress.

107. The Guatemalan Presidential Commission on Discrimination and Racism against Indigenous Peoples underscored the efforts that had been made to uphold the rights of indigenous peoples through, inter alia, improved coordination between the indigenous and official legal systems. Moreover, with regard to indigenous women deprived of their liberty, a women's unit focused on assisting indigenous women accused of criminal acts and ensuring them prompt and full access to justice had been set up, and a protocol had been developed for the provision of assistance to women victims of various forms of violence.

108. The Ministry of Public Health and Social Welfare of Guatemala, under the protocol for victims of sexual violence, had authorized the opening of several offices of the Public Prosecution Service in hospitals, trained hospital staff and health professionals on the use of the comprehensive care guide for pregnant women under 14 years of age, and had taken steps to ensure comprehensive sexual education and the prevention of teenage pregnancies.

109. The Food and Nutritional Security Secretariat of Guatemala noted that it had drawn up the National Strategy to Prevent Chronic Malnutrition, which had incorporated the recommendations of the impact assessment of the Zero Hunger Pact Initiative. The law on

school feeding had been adopted with the aim of guaranteeing that children who attended school received nutritional food and thus improved their health.

110. Lastly, the delegation of Guatemala stated that it supported what it considered to be the most important recommendations. It valued both bilateral and multilateral international cooperation, which should under no circumstances be driven by private interests or any motivation other than safeguarding fundamental rights and liberties. It would accept the recommendations that would truly contribute to the system of human rights protection. It acknowledged all the support for the efforts it had made, within the context of its conviction that development was the best way to achieve human rights for peace.

II. Conclusions and/or recommendations

111. **The recommendations formulated during the interactive dialogue listed below have been examined by Guatemala and enjoy the support of Guatemala:**

111.1 **Establish a systematic consultation and follow-up mechanism with civil society and non-governmental organizations on the implementation of recommendations formulated in the framework of the universal periodic review (Haiti);**

111.2 **Keep its standing follow-up mechanism for recommendations (Paraguay);**

111.3 **Continue the good cooperation with the Office of the United Nations High Commissioner for Human Rights at country level, which has generated concrete results, including the development of new jurisprudence in the field of human rights (Norway);**

111.4 **Continue internal institutional processes to strengthen democracy, justice and respect for human rights (El Salvador);**

111.5 **Finalize and implement a national action plan to follow up the Guiding Principles on Business and Human Rights (Norway);**

111.6 **Continue to provide sufficient funding for its human rights programmes and activities (Philippines);**

111.7 **Increase funding and political support for government human rights institutions and programmes, including the Presidential Commission on Human Rights, the Human Rights Ombudsman's Office and the National Reparations Programme (United States of America);**

111.8 **Strengthen national efforts to combat discrimination, xenophobia and racism, in particular discriminatory practices against indigenous people, migrants, refugees and people of African descent (Egypt);**

111.9 **Explicitly incorporate the approach based on gender rights and sensitivity, the Public Policy for Coexistence and Elimination of Racism and Racial Discrimination and the Plan for its implementation so that, in line with the 2030 Agenda, no one is left behind (Honduras);**

111.10 **Continue efforts to ensure the promotion of the rights of indigenous peoples (Armenia);**

111.11 **Continue efforts to facilitate and promote indigenous peoples' access to education, sanitation, property and public positions (Holy See);**

111.12 **Continue its efforts in taking steps to eliminate further racial discrimination, in consultation with national human rights institutions and all other relevant stakeholders (Indonesia);**

111.13 **Continue implementing effective actions to combat discrimination and guarantee indigenous peoples' rights, by improving access to public**

services, life expectancy, education, including comprehensive sexual education, infrastructure and salary (Mexico);

111.14 **Continue and redouble the efforts to combat racism, racial discrimination and other related forms of intolerance, placing particular attention on the structural elements of discrimination that might affect the effective exercise of the rights to health, education, decent work and participation in decision-making processes by indigenous people and people of African descent (Nicaragua);**

111.15 **Expedite the implementation of the Public Policy for Coexistence and Elimination of Racism and Racial Discrimination (Sierra Leone);**

111.16 **Put in place effective measures and policies to address discrimination against indigenous peoples (Sierra Leone);**

111.17 **Strengthen the system of development councils in order to improve the participation of the indigenous population in public management (Plurinational State of Bolivia);**

111.18 **Intensify efforts to put an end to racial discrimination, and to this end, fill the legal vacuum by adopting a law that sanctions it (Burkina Faso);**

111.19 **Persist in its efforts to combat the structural causes of racial discrimination against indigenous peoples, in order to ensure access to quality education and health services (Costa Rica);**

111.20 **Continue its efforts to establish effective consultation processes with indigenous communities (El Salvador);**

111.21 **Strengthen national efforts to prevent land conflicts between indigenous peoples and farmers (Iraq);**

111.22 **Ensure that the requirement to consult with indigenous peoples on decisions concerning lands traditionally owned by them is enshrined in law, and that every effort is made by the Government to ensure that this instrument complies with international standards (Ireland);**

111.23 **Ensure the full participation of indigenous peoples in decision-making processes which concern them, and ensure that they are consulted in the context of the planning and implementation of large-scale economic projects (Switzerland);**

111.24 **Substantially increase State spending on programmes for indigenous peoples and institutions. This can help address poverty while ensuring the meaningful participation of, and consultation with, indigenous peoples in decisions affecting them and their rights (Canada);**

111.25 **Adopt a law on rural development, followed by a comprehensive policy and an increase of the budget of the Ministry of Social Development (Honduras);**

111.26 **Continue strengthening measures to address cases of violence and organized crime (Indonesia);**

111.27 **Ensure that all private security companies are registered and that their activities are properly monitored (Portugal);**

111.28 **Investigate fully allegations of serious acts of violence, including numerous murders, against trade union officers and their members, and bring their perpetrators to justice (Greece);**

111.29 **Strengthen the role and capacity of the National Civil Police with a view to reducing the role of the armed forces in the maintenance of public order (Portugal);**

111.30 **Appoint independent and qualified members to the whole national preventive mechanism to enable the institution to function in accordance with**

the aims and objectives of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ghana);

111.31 **Take the necessary action to publish the report of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in order to assist a dialogue on the implementation of the Subcommittee's recommendations (Ghana);**

111.32 **Appoint independent and qualified members to its national preventive mechanism to enable it to function in accordance with the objectives of the Optional Protocol to the Convention against Torture (New Zealand);**

111.33 **Strengthen the framework of the National Office for the Prevention of Torture to ensure it is fully functional and able to investigate all reported cases (Sierra Leone);**

111.34 **Appoint without further delay independent and qualified members of the whole national preventive mechanism to enable the mechanism to function in accordance with the aims and objectives of the Optional Protocol to the Convention against Torture (Denmark);**

111.35 **Take necessary steps to guarantee the life, physical integrity and health of persons held in detention facilities, shelters or psychiatric hospitals (Algeria);**

111.36 **Take all necessary steps to ensure that key government institutions responsible for tackling human trafficking — especially of women and children — are properly funded (United Kingdom of Great Britain and Northern Ireland);**

111.37 **Pursue efforts to combat human trafficking (Libya);**

111.38 **Pursue efforts to prevent and combat human trafficking, exploitation of persons and other contemporary forms of slavery, including sexual exploitation, and provide support and protection to victims, paying particular attention to vulnerable groups such as indigenous people, children, women, people with disabilities and non-nationals (Nicaragua);**

111.39 **Implement foster care programmes and alternatives to the penalty of deprivation of liberty (Spain);**

111.40 **Strengthen protection measures for human rights defenders (El Salvador);**

111.41 **Strengthen protection for journalists, which is essential to the full respect of fundamental freedoms, in particular by rapidly realizing the programme of protection for journalists, for which much effort has already been made (France);**

111.42 **Further strengthen measures to protect human rights defenders (Georgia);**

111.43 **Support the work of civil society by implementing public policies to protect it and end the misuse of penal and administrative law against human rights defenders, including indigenous peoples' human rights defenders, especially in the context of hydroelectric and mining projects (Germany);**

111.44 **Adopt a mechanism for the protection of journalists and release all journalists detained for exercising their freedom of expression (Greece);**

111.45 **Ensure prompt, thorough and impartial investigations regarding attacks against human rights defenders and adopt a public policy on their protection (Greece);**

111.46 **Continue efforts to promote freedom of expression and information by protecting journalists (Holy See);**

111.47 **Continue its efforts to develop a system to protect journalists and safeguard freedom of expression (Indonesia);**

111.48 **Take all necessary measures to protect human rights defenders through the removal of legal and policy measures which inhibit the ability of defenders to carry out their vital work in safety, without fear of interference, obstruction or harassment of any kind, including by finalizing the public policy for the protection of human rights defenders with strong participation by civil society and an adequate budgetary allocation (Ireland);**

111.49 **Safeguard the activities of human rights defenders, introducing national laws and policies to protect them (Italy);**

111.50 **Foresee protection measures for human rights defenders, in accordance with international commitments (Lithuania);**

111.51 **Adopt a framework for the protection of media professionals, based on the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity (Lithuania);**

111.52 **Implement a protection policy for human rights defenders, in coordination with civil society (Luxembourg);**

111.53 **Approve and implement the programme for the protection of journalists, in consultation with the latter (Luxembourg);**

111.54 **Take all necessary steps to work towards diminishing threats and violence against human rights defenders, especially women and journalists, and to implement an effective mechanism to protect them from these threats (Netherlands);**

111.55 **Initiate timely, independent, impartial and effective investigations into threats and attacks against human rights defenders, particularly indigenous defenders, to ensure their effective protection (Republic of Korea);**

111.56 **Ensure that thorough and impartial investigations are carried out into allegations of attacks against human rights defenders (Sierra Leone);**

111.57 **Adopt appropriate measures to ensure safety and protection of human rights defenders and take all necessary steps to ensure prosecution of all those responsible for violation of their rights (Slovakia);**

111.58 **Implement public policies so as to protect the work of human rights defenders in line with international standards, and implement measures aimed at the effective reduction of attacks and at their independent and effective investigation (Spain);**

111.59 **Adopt and ensure full implementation of the public policy for the protection of human rights defenders as well as the protocol of the Public Prosecutor's Office on the investigation of cases against human rights defenders (Sweden);**

111.60 **Implement effective protection measures and undertake an immediate and systematic investigation into abuses committed against human rights defenders, as previously recommended (Switzerland);**

111.61 **Strengthen the protection measures for human rights defenders, taking due account of gender and cultural aspects (Ukraine);**

111.62 **In consultation with civil society groups across Guatemala, finalize and implement a public policy for human rights defenders' protection (United States of America);**

111.63 **Implement safeguards for human rights defenders by introducing legislation to protect freedom of association and assembly (Australia);**

111.64 **Initiate or pursue timely, independent, impartial and effective investigations into threats and attacks against human rights defenders and bring those responsible to justice (Belgium);**

111.65 **Develop a gender and culturally differentiated public policy for the protection of human rights defenders, and ensure adequate political support and resources for its implementation (Canada);**

111.66 **Lift restrictions on freedom of expression and adopt legal and regulatory measures for the protection and safety of journalists against persecution, intimidation and harassment (Chile);**

111.67 **Ensure that human rights defenders can carry out their legitimate activities without fear or undue impediment, obstruction, or legal or administrative harassment (Chile);**

111.68 **Strengthen the independence and effectiveness of the judiciary and adopt all necessary measures to consolidate recent efforts in the fight against impunity (Germany);**

111.69 **Increase efforts in the fight against impunity and corruption, through increasing the financial resources for the judiciary and through the implementation of judicial reforms aimed at fully ensuring the independence of the judiciary (Netherlands);**

111.70 **Continue with its efforts to strengthen the effectiveness and independence of the justice system (Republic of Korea);**

111.71 **Continue the policy agenda to strengthen the specialized justice system to protect women (Ukraine);**

111.72 **Dismantle groups of power and other clandestine structures of corruption that prevent guarantees of fair trials and due process, in line with international standards (Bolivarian Republic of Venezuela);**

111.73 **Adopt measures to ensure the sustainability of efforts to fight corruption, such as legal and public policy reforms, to improve public confidence in the justice system and to increase its independence (Canada);**

111.74 **Ensure that the International Commission against Impunity in Guatemala is able to perform its work effectively (United Kingdom of Great Britain and Northern Ireland);**

111.75 **Closely cooperate with the International Commission against Impunity in Guatemala (Lithuania);**

111.76 **Fully cooperate with the International Commission against Impunity in Guatemala in all aspects of its mandate (Sweden);**

111.77 **Cooperate with, and support the work of, the International Commission against Impunity in Guatemala (Australia);**

111.78 **Continue to invest resources to expand social programmes that promote and protect the human rights of older persons in Guatemala, in particular those living in poverty, to allow them to age with dignity (Singapore);**

111.79 **Implement measures to facilitate access to health care and education, particularly for the most vulnerable populations (Angola);**

111.80 **Back efforts to counter child malnutrition and continue to strengthen programmes to eradicate poverty and extreme poverty (Germany);**

111.81 **Assign the necessary human and financial resources for the prompt implementation of the National Strategy to Prevent Chronic Malnutrition 2016–2020 (Honduras);**

111.82 **Ensure that community development councils channel funds for their projects to address the problem of chronic malnutrition, particularly among the indigenous and rural populations (Malaysia);**

111.83 **Develop and implement comprehensive and efficient policies to fight poverty and in particular chronic and acute malnutrition (Norway);**

111.84 **Continue to work for the implementation of its National Strategy to Prevent Chronic Malnutrition 2016–2020 and strengthen its Food Aid Programme to prevent food insecurity (Pakistan);**

111.85 **Intensify efforts to prevent and eradicate chronic malnutrition, especially among children living in rural and remote areas (Panama);**

111.86 **Continue the efforts to fight against child malnutrition, particularly among indigenous people (Peru);**

111.87 **Intensify its efforts to combat and prevent malnutrition among children (Timor-Leste);**

111.88 **Address the structural causes of poverty faced by the most economically vulnerable communities, in particular regarding chronic malnutrition (Algeria);**

111.89 **Strengthen policies and programmes to combat chronic malnutrition and ensure food security (Costa Rica);**

111.90 **Take specific measures to promote access to health-care services, especially in rural areas (India);**

111.91 **Increase resource allocation and accessibility to public health services (Republic of Korea);**

111.92 **Increase the budget allocated to health care and take all necessary measures to strengthen a national health-care system accessible to all, without discrimination (Côte d'Ivoire);**

111.93 **Adopt effective measures to address widespread child pregnancy and ensure access to sexual and reproductive health rights, as well as education programmes (Germany);**

111.94 **Continue its efforts to provide universal good quality education for all children, especially girls (Pakistan);**

111.95 **Continue the efforts to reduce the illiteracy rate (Peru);**

111.96 **Implement compulsory primary education, providing resources to ensure the quality and infrastructure of the education system (Portugal);**

111.97 **Take further measures to ensure children's access to education, particularly for those with disabilities and living in remote communities (Armenia);**

111.98 **Elaborate and implement programmes and initiatives to encourage the sharing of domestic responsibilities and childcare with a view to eliminating gender stereotypes (Haiti);**

111.99 **Actively work towards equal remuneration for men and women by taking credible steps (India);**

111.100 **Continue the efforts to promote gender equality by promoting balanced representation in decision-making positions, equality in the work market and entrepreneurship, including equal pay and equal access to credit and other financial services, among other measures, paying particular attention to girls and women from indigenous people and people of African descent (Nicaragua);**

111.101 **Strengthen strategies so as to combat stereotypes and all forms of discrimination against women and persons with disabilities (Panama);**

111.102 **Ensure the inclusion of women and girls with disabilities in all policies and programmes on equality and gender discrimination (Paraguay);**

111.103 **Adopt measures to combat violence and discrimination against women and indigenous communities (Uruguay);**

111.104 **Continue to enact laws and promote policies aimed at protecting women and enhancing their roles in society (Bahrain);**

111.105 **Strengthen the "Creciendo Segura" programme, aimed at low-income women, with an emphasis on women living in rural areas (Plurinational State of Bolivia);**

111.106 **Strengthen efforts to combat violence against women (Egypt);**

111.107 **Intensify awareness-raising measures against femicide and violence against women, as well as on the recommendations of the Committee on the Elimination of Discrimination against Women (Finland);**

111.108 **Combat violence against women by putting an end to impunity in this area (France);**

111.109 **Intensify efforts to tackle femicide and violence against women (Georgia);**

111.110 **Implement effective and coordinated measures to prevent violence against women, especially against young women and girls (Iceland);**

111.111 **Strengthen efforts to carry out prompt, impartial and effective investigations into all forms of violence against women and to bring those responsible to justice (Iceland);**

111.112 **Strengthen efforts to prevent and combat all forms of discrimination and violence against women and children, adopting comprehensive legislation and launching awareness-raising campaigns. Ensure that women victims of violence receive appropriate help and perpetrators are brought to justice (Italy);**

111.113 **Ensure, through a coordinated and comprehensive institutional effort, access to justice for women who have been victims of violence (Lithuania);**

111.114 **Strengthen the fight against all forms of violence against women and girls by ensuring effective implementation of relevant laws and policies, and ensure access to justice and care (Luxembourg);**

111.115 **Continue efforts to address the problem of domestic violence against women (Malaysia);**

111.116 **Pursue efforts to fight against femicide and violence against women, and provide for specialized care centres for victims of this violence (Morocco);**

111.117 **Allocate sufficient resources to specialized courts and tribunals with jurisdiction over femicide and other forms of violence against women (Paraguay);**

111.118 **Open up and strengthen specialized centres providing care to women victims of violence (Paraguay);**

111.119 **Carry out awareness-raising campaigns on all matters related to gender violence (Paraguay);**

111.120 **Enhance the promotion and protection of the rights of women and girls, including through the elimination of violence against them (Portugal);**

111.121 **Continue to raise awareness regarding the criminal nature of domestic violence and bring those responsible before the courts (Serbia);**

111.122 **Implement more measures to prevent violence against women, such as the training workshops conducted by the Office for the Defence of Indigenous Women's Rights on the protection of indigenous women (Singapore);**

111.123 **Establish a mechanism for improving coordination and strengthening various institutions dealing with violence against women (Slovenia);**

111.124 **Allocate sufficient resources to specialized courts and tribunals with jurisdiction over femicide and other forms of violence against women, and move towards the full implementation of the Law against Femicide and Other Forms of Violence against Women (Spain);**

111.125 **Continue to raise awareness regarding the criminal nature of domestic violence and take measures to prosecute those responsible for such actions (Israel);**

111.126 **Further enhance the promotion and protection of women's rights, including addressing violence against women and femicide (Azerbaijan);**

111.127 **Implement effective and coordinated measures to prevent violence against women, especially against young women and girls, and ensure that perpetrators of violence are brought to justice (Belgium);**

111.128 **Address the structural causes of organized crime, including those relating to sexual violence (Burkina Faso);**

111.129 **Pursue awareness-raising activities on domestic violence, including prosecution and sentencing of the perpetrators (Burkina Faso);**

111.130 **Allocate appropriate resources for the effective application of the law against femicide and other forms of gender-based violence, including better access to services for victims (Canada);**

111.131 **Strengthen initiatives to sensitize the population about the criminal nature of domestic violence and bring those responsible for this crime to justice (Ecuador);**

111.132 **Promote large-scale registration campaigns for women voters, in particular in rural areas and notably for indigenous women, with a view to ensuring their full participation in political and public life (Haiti);**

111.133 **Continue to combat gender stereotypes by promoting equal representation of men and women in public office (Timor-Leste);**

111.134 **Take measures to improve women's representation in decision-making positions in the public sector and reduce the gender pay gap (Israel);**

111.135 **Establish a mechanism to increase the participation of women, particularly indigenous women, in key positions of the three powers of the Republic and in decision-making processes (Costa Rica);**

111.136 **Ensure free, universal birth registration and provide all children born in the territory, particularly those born in indigenous communities, with a birth certificate (Portugal);**

111.137 **Strengthen further the child protection system in the country through the necessary reforms, adopting a human-rights based approach (Maldives);**

111.138 **Pursue efforts to train personnel for the optimal care of children in the context of access to education and health care, and within the implementation of effective social programmes in these areas (Morocco);**

111.139 **Guarantee the life, integrity and physical safety of children and adolescents placed in State shelters, provide adequate reparation for the damages caused, prohibit corporal punishment of children in all settings, and repeal the legal exemptions endorsed in the Civil Code and Law (Bolivarian Republic of Venezuela);**

111.140 **Put in place a policy for the protection of children and adolescents, with a view to better protecting them against acts of violence and crimes committed against them, as well as in relation to the large number of early pregnancies (France);**

111.141 **Increase efforts to abolish child labour, also by conducting systematic labour inspections (Greece);**

111.142 **Maintain and expand those existing initiatives to fight against trafficking in children and child labour, and protect children from sexual exploitation and other forms of modern slavery, especially by enhancing services of registration at birth (Holy See);**

111.143 **Strengthen the system for protecting children from exploitation (Libya);**

111.144 **Adopt concrete measures aimed at reducing the vulnerability of children to child labour and sexual exploitation, so as to ensure that Guatemala is a country free from child labour and its worst forms (Panama);**

111.145 **Intensify labour inspections focusing on child labour and prosecution of violators of child labour legislation (Slovakia);**

111.146 **Strengthen legislation to protect children from all forms of violence (Bahrain);**

111.147 **Further develop economic assistance programmes for the elderly and persons with disabilities (Libya);**

111.148 **Maintain the commitment to ensure that people with disabilities fully enjoy all their rights (Peru);**

111.149 **Ensure equal access to justice and the exercise of political rights to people with disabilities (Israel);**

111.150 **Integrate children with disabilities in the national education system (Bahrain).**

112. **The recommendations formulated during the interactive dialogue listed below have been examined by Guatemala and have been noted by Guatemala:**

112.1 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);**

112.2 **Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Georgia);**

112.3 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Spain);**

112.4 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights and the International Convention for the Protection of All Persons from Enforced Disappearance (Ukraine);**

112.5 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Bolivarian Republic of Venezuela);**

112.6 **Consider ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Uruguay);**

112.7 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Azerbaijan);**

112.8 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq) (Montenegro) (Sierra Leone);**

112.9 **Consider ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);**

112.10 **Consider the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and adapting its national legislation to this instrument (Ecuador);**

112.11 **Consider ratifying the ILO Domestic Workers Convention, 2011 (No. 189) (Philippines);**

112.12 **Ratify the ILO Domestic Workers Convention, 2011 (No. 189) (Bolivarian Republic of Venezuela);**

112.13 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

112.14 **Create a national search commission for victims of enforced disappearance and other forms of disappearance (El Salvador);**

112.15 **Amend the legislation to penalize hate crimes and crimes of intolerance based on discrimination, especially in cases of race, sexual orientation, gender identity or expression (Israel);**

112.16 **Adopt awareness-raising measures to guarantee that people belonging to the lesbian, gay, bisexual, transgender and intersex community are not discriminated against on the grounds of their sexual orientation and gender identity (Uruguay);**

112.17 **Better ensure respect for the human rights of lesbian, gay, bisexual, transgender and intersex persons, who are sometimes victims of discrimination or even of hate crimes (France);**

112.18 **Create a legislative framework and implement public policies and social awareness campaigns to eliminate violence and discrimination based on sexual orientations and gender identity (New Zealand);**

112.19 **Amend the Criminal Code to penalize hate crimes and crimes of social intolerance based on sexual orientation, gender identity and sexual characteristics (Slovenia);**

112.20 **Adopt measures to ensure the protection of the life as well as the physical and psychological integrity of lesbian, gay, bisexual, transgender and intersex persons (Chile);**

112.21 **Apply the methodological proposal to implement the consultation accepted by the Quiché indigenous authorities on those matters related to indigenous people (Peru);**

112.22 **Set up a legal framework to recognize indigenous peoples' rights to have access to and manage their territories of origin and their natural resources, and to participate in the decision-making processes on those matters concerning them (Bolivarian Republic of Venezuela);**

112.23 **Adopt legislation to criminalize any diffusion of ideas based on racial superiority or hatred, any incitement to racial discrimination or any act of racially motivated violence (Brazil);**

112.24 **Establish an official moratorium on executions and abolish the death penalty for all crimes (Iceland);**

112.25 **Consider taking steps with a view to abolishing the death penalty (Italy);**

112.26 **Introduce a moratorium on the use of the death penalty and work towards its abolition, including by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (New Zealand);**

112.27 **Abolish the death penalty (Portugal) (Costa Rica) (Bolivarian Republic of Venezuela);**

112.28 **Abolish the death penalty, as previously recommended (Slovakia);**

112.29 **Establish a de jure moratorium on executions and abolish the death penalty for all crimes, and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Slovenia);**

112.30 **Abolish the death penalty in all cases (Timor-Leste);**

112.31 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Angola);**

112.32 **Formally abolish the death penalty and accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);**

112.33 **Abolish the death penalty in national legislation by adopting law No. 5100 on the final abolition of the death penalty (Côte d'Ivoire);**

112.34 **Enact draft law No. 3590 related to the commission on the search for victims of enforced disappearance and other disappearances, which is currently under consideration by the Congress (Mexico);**

112.35 **Put an end to the use of the criminal justice system to intimidate, threaten, marginalize and stigmatize journalists, social organizations and human rights defenders engaged in the defence of economic, social, cultural and environmental rights and of indigenous peoples' rights (Bolivarian Republic of Venezuela);**

112.36 **Implement the outcomes of the national dialogue for Constitutional reform in the field of justice, which was initiated in February 2016, whose purpose was to hold consultations with all stakeholders regarding actions to further the strengthening of the justice system in Guatemala (Mexico);**

112.37 **Establish mechanisms for the selection of judges which rule out any risk of politicization or conflict of interest, and ensure that the principle of separation of administrative and judicial functions of the Supreme Court guarantees the full independence and impartiality of the judiciary in Guatemala (Switzerland);**

112.38 **Take steps to approve and implement the 2016 Constitutional reform on the appointment of the judiciary as this would help to ensure its independence (Australia);**

112.39 **Decentralize the International Commission against Impunity in Guatemala to all regions (Finland);**

112.40 **Ensure that the International Commission against Impunity in Guatemala is able to operate without interference and that government institutions key to anti-corruption efforts continue to be adequately funded with dedicated leadership (United States of America);**

112.41 **Deepen the measures aimed at speeding up the progress of trials of the perpetrators of acts of genocide and crimes against humanity and provide due protection to the judges involved in these investigations (Argentina);**

112.42 **Consider the possibility of establishing a universal basic income with a view to further reducing poverty and inequality levels, for improving the existing social protection system (Haiti);**

112.43 **Adopt an intercultural health policy and strategy with an approach based on gender rights and sensitivity ensuring, inter alia, universal access to sexual and reproductive health, particularly in rural areas (Honduras);**

112.44 **Adopt effective measures to address the high levels of pregnancy among girls and adolescents, and ensure their effective access to sexual and reproductive health care and services and education programmes (Iceland);**

112.45 **Guarantee respect of sexual and reproductive rights and take measures to prevent early pregnancies, particularly through awareness-raising and sexual education (Luxembourg);**

112.46 **Take measures to prevent child pregnancies by providing access to comprehensive sexuality education and integral sexual and reproductive health services for teenagers (Sweden);**

112.47 **Adopt effective measures to address the high level of pregnancy among girls and adolescents and ensure their effective access to sexual and reproductive health services (Belgium);**

112.48 **Adopt practical measures to promote equal representation of men and women in elected public office and to guarantee equal remuneration and satisfactory working conditions to all citizens (Portugal);**

112.49 **Take all necessary measures towards rigorous implementation of all legislation on gender equality (Burkina Faso);**

112.50 **Develop government programmes and strategies to prevent, investigate and punish human rights violations against women, in particular lesbian women, according to existing laws ratified by the State (New Zealand);**

112.51 **Take steps to place higher priority on the prosecution of violence and discrimination against women, transgender and transsexual people, as well as access to justice for victims of these crimes (Australia);**

112.52 **Decriminalize and eliminate all punitive measures related to termination of pregnancies in cases of rape, incest and severe fetal impairment (Denmark);**

112.53 **Strengthen preventive, protective and rehabilitative measures for women and girl victims of sexual violence, through specialized psychosocial, legal and health services (Brazil);**

112.54 **Expedite the adoption process of draft framework law 5125 on disability in order to contribute to the due implementation and fulfilment of the Convention on the Rights of Persons with Disabilities (Spain);**

112.55 **Ensure that the rights and fundamental freedoms of persons with disabilities are respected by abolishing all practices of forced sterilization and coercive abortions of women and girls with disabilities, and by investigating and punishing their perpetrators (Argentina).**

113. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English/Spanish only]

Composition of the delegation

The delegation of Guatemala was headed by Dr. Jorge Luis Borrayo Reyes, President of the Presidential Commission for Coordinating Executive Policy in the Field of Human Rights and composed of the following members:

- Embajadora Carla María Rodríguez Mancia, Representante Permanente de Guatemala ante la Organización de las Naciones Unidas y otras Organizaciones Internacionales en Ginebra;
- Licenciada Aura Leticia Teleguario, Ministra de Trabajo y Previsión Social;
- Licenciada María Eugenia Morales Aceña, Magistrada de la Corte Suprema de Justicia;
- Sra. Silvia Patricia Valdés Quezada, Magistrada de la Corte Suprema de Justicia;
- Dr. Rubén González Valenzuela, Viceministro de Atención Primaria en Salud Publica y Asistencia Social;
- Licenciado Juan Pablo López Díaz, Comisionado Presidencial contra la Discriminación y Racismo (CODISRA);
- Licenciada Ofelia González, Secretaria Privada y de Asuntos Estratégicos, Ministerio Publico;
- Licenciado Carlos Hugo Avila, Director de Derechos Humanos, Ministerio de Relaciones Exteriores;
- Licenciado René Armando Lam España, Director de Asuntos Jurídicos, Ministerio de Gobernación;
- Ingeniero Otto Estuardo Velásquez Vásquez, Director de Planificación y Monitoreo, Secretaría de Seguridad Alimentaria y Nutricional (SESAN);
- Licenciada Claudia Lorena Sigüenza Alvarado, Investigación e Informes de Comisión Presidencial Coordinadora de la Política del Ejecutivo en Materia de Derechos Humanos (COPREDEH);
- Licenciada María José del Águila Castillo, Ministro Consejero de la Misión Permanente de Guatemala ante la Oficina de las Naciones Unidas en Ginebra;
- Doctor Gabriel Orellana Zabalza, Consejero de la Embajada de Guatemala en Bruselas, Bélgica;
- Srita. Cecilia Beatriz Cáceres Valdéz, Primer Secretario de la Misión Permanente de Guatemala ante la Organización de las Naciones Unidas y otras Organizaciones Internacionales en Ginebra;
- Sr. Luis Erick Gudiel Pineda, Primer Secretario de la Misión Permanente de Guatemala ante la Organización de las Naciones Unidas y otras Organizaciones Internacionales en Ginebra;
- Srita. Alicia María Marroquín Mogollon, Segundo Secretario de la Misión Permanente de Guatemala ante la Organización de las Naciones y otras Organizaciones Internacionales en Ginebra;
- Licenciado Rolando Antonio Castillo López, Ministerio de Gobernación;
- Licenciado William Oswaldo Ramírez Quiñonez, Asesor Técnico de la Comisión Presidencial Coordinadora de la Política del Ejecutivo en Materia de Derechos Humanos (COPREDEH);

- Licenciada Nydia Lissette Arevalo Flores de Corzantes, Directora General, Instituto de la Defensa Pública Penal;
- Licenciado Esteban Mollinedo, Director Fortalecimiento Institucional Instituto Defensa Pública Penal.

United Nations A/HRC/37/10

General Assembly

Distr.: General
3 January 2018
English
Original: English/French

Human Rights Council
Thirty-seventh session
26 February–23 March 2018
Agenda item 6
Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Benin

* The annex is being issued without formal editing, in the languages of submission only.

GE.17-23482 (E) 100118 100118

1723482

Please recycle

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-eighth session from 6 to 17 November 2017. The review of Benin was held at the 9th meeting, on 10 November 2017. The delegation of Benin was headed by the Keeper of the Seals and Minister of Justice and Legislation, Joseph Fifamin Djogbénou. At its 14th meeting, held on 14 November 2017, the Working Group adopted the report on Benin.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Benin: Ethiopia, Panama and United States of America.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Benin:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/28/BEN/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/28/BEN/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/28/BEN/3).

4. A list of questions prepared in advance by Belgium, Brazil, Germany, Liechtenstein, Portugal, Slovenia, the United Kingdom of Great Britain and Northern Ireland and Uruguay was transmitted to Benin through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation reaffirmed the commitment of Benin to human rights as a foundation on which the State was built, stressing that its report had been prepared following a process of national consultation involving State bodies and civil society actors, with the support of the specialized agencies of the United Nations system and the International Organization of la Francophonie.

6. Since 2012, the Government had been working to address the concerns expressed and recommendations and commitments made during the second cycle of the universal periodic review, inter alia, by strengthening the legal, programmatic and institutional frameworks in the area of human rights, although it recognized that further efforts were needed.

7. In particular, Benin had ratified several international and regional human rights treaties, such as the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights and the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

8. At the same time, the process of ratifying other human rights instruments was under way, particularly for:

(a) The amendments to the Rome Statute of the International Criminal Court relating to the crime of aggression adopted in Kampala;

(b) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure;

(c) The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

9. An important part of the work undertaken by Benin since 2012 had been the incorporation of international standards into national law. Several pieces of legislation had been adopted to that effect, including:

(a) The Children's Code Act of 25 November 2015;

(b) The Act of 13 April 2017 on the protection and promotion of the rights of persons with disabilities;

(c) The Act of 16 June 2016 on community service work, which promoted alternative penalties to deprivation of liberty for certain offences;

(d) The Act of 18 March 2013 on the Code of Criminal Procedure, which helped Beninese criminal procedure move towards ensuring better protection of human rights, for example, by allowing persons threatened with deprivation of liberty to challenge their detention before a judge.

10. In response to questions raised, the delegation clarified the status of the death penalty in Benin. After the ratification and entry into force of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the death penalty had been abolished in practice. The Constitutional Court had ruled that any death sentence would be unenforceable, and the sentences of the 14 persons currently sentenced to death were being commuted. The new Criminal Code, which would be adopted in the first quarter of 2018 by Parliament, would formally confirm the abolition of the death penalty in Benin.

11. With regard to the question of the protection of children's rights, in 2015, Benin had adopted a Children's Code that would raise the status of children and afford them protection in all areas. In 2014, Benin had approved a national child protection policy document, which specified, inter alia, the resources available to achieve the objectives set by the State. With a large proportion of the country's population under the age of 25, it was vital to protect this sector of the population legally and economically.

12. In this connection, the delegation addressed the issue of child labour. Many children in Benin were working, often under duress. The Government had put in place instruments to crack down on the main actors and accomplices in child labour, particularly when it was organized by groups on the margins of society. This was provided for above all by the introduction of specific provisions in the draft Criminal Code currently under consideration by the National Assembly.

13. Aside from the crackdown, the delegation raised the issue of economic and social support for the people of Benin in order to combat child labour. There were basic economic and social factors related to access to education, parental employment and social security which encouraged child labour and that the Government was attempting to address through the following measures:

(a) Promotion of compulsory schooling and retention of children in school through the allocation of subsidies and the implementation of a comprehensive school canteen programme in all primary schools;

(b) Establishment of an insurance system, including social security and universal health insurance, and support for the poorest families.

14. In concluding its introductory remarks, the delegation reiterated the commitment of Benin to human rights, stressing that it was the demand for human rights at the 1990 Conference of the Active Forces of the Nations that had enabled the State's transition to a democratic regime. The delegation stood ready to answer questions from the members of the Working Group on the Universal Periodic Review.

B. Interactive dialogue and responses by the State under review

15. During the interactive dialogue, 82 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

16. Bangladesh welcomed the establishment of the Human Rights Commission and the national authority to combat corruption. It noted that the Children's Code incorporated the provisions of the Convention on the Rights of the Child. Bangladesh congratulated Benin for having made education accessible for all children and introduced a national fund for youth employment.

17. Belgium welcomed the adoption of the Children's Code in 2015. It commended the comprehensive legal framework to combat impunity and measures to respect the rights of women. However, it noted the lack of significant impact that the latter had had with regard to the situation of women.

18. Botswana commended Benin for the adoption of the Children's Code, the Electoral Code and a decree on the establishment of powers and functions of the national institute for women. It commended the cooperation of Benin with the treaty bodies and human rights mechanisms.

19. China welcomed the adoption of laws to promote and protect the rights of children and people with disabilities. It praised the national plans formulated to combat racial discrimination and improve health care. It noted the efforts of Benin to eliminate poverty, reduce hunger, provide access to drinking water and promote youth employment.

20. Bulgaria commended the enactment of the Children's Code and the policy on free education. It welcomed the efforts of Benin to fulfil its obligations following the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty and the enactment of the new Criminal Code, providing for the abolition of the death penalty.

21. Burkina Faso congratulated Benin for the regulatory legislative measures it had taken since its second review. It regretted, however, the high rate of maternal mortality, harmful practices, in particular female genital mutilation, and child and forced marriages. It urged Benin to adopt the law recognizing the same rights for all children. It invited the international community to support Benin in its efforts.

22. Burundi congratulated Benin for the adoption of its Government Action Programme 2016–2021. It welcomed the adoption of a law to promote and protect persons with disabilities, the drafting of a national action plan to combat racial discrimination and the adoption of a national policy on justice. Burundi acknowledged the efforts of Benin in the area of justice and the incorporation of international treaties in national law.

23. Cabo Verde welcomed the ratification by Benin of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. It encouraged Benin to share the results of the implementation of its national action plan to eliminate the worst forms of child labour.

24. Canada commended the adoption of the Children's Code in 2015, establishing a legal framework to protect children against sexual exploitation, and encouraged its effective implementation. However, Canada remained concerned that violations of those rights, particularly regarding freedom of expression and assembly, persisted.

25. The Central African Republic congratulated Benin for its broad consultations with civil society while drafting its national report for the universal periodic review and welcomed the adoption of several legal instruments strengthening the promotion and protection of human rights.

26. Chad praised the 2014 national action plan against racism and racial discrimination, xenophobia and intolerance. It noted with satisfaction the Government Action Programme 2016–2021, the adoption of the Children's Code and the law to prevent and prohibit domestic violence.

27. Brazil commended the development of national action plans to combat racial discrimination and the worst forms of child labour. It welcomed the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. It encouraged Benin to expedite the ratification of other relevant human rights instruments.

28. Congo commended the adoption of the Children's Code. It encouraged the effective implementation of its provisions to eliminate any risk of death or abandonment of children with disabilities at birth, or those so-called "witch children", and to protect children from sale, trafficking and economic and sexual exploitation. Congo welcomed the cooperation of Benin with the treaty bodies and special procedures.

29. Côte d'Ivoire congratulated Benin for the regulatory and legislative measures it had taken to follow up on the recommendations from its second review, particularly the Government Action Programme 2016–2021 and the laws on the Human Rights Commission, the Electoral Code and the Code of Criminal Procedure.

30. Croatia welcomed the adoption of the Children's Code and the ratification of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. It supported the efforts of Benin to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. Croatia expressed concern at the socioeconomic and regional disparities in children's access to education. It encouraged Benin to address impunity regarding children's rights.

31. Guatemala regretted reports according to which the Human Rights Commission was still not operational, as well as reports of harmful practices against women and girls, in particular female genital mutilation.

32. Djibouti congratulated Benin for the measures it had taken since its last universal periodic review, notably the creation of a national authority to combat corruption, the adoption in 2015 of the Children's Code and the establishment of a national policy to protect children.

33. Egypt commended Benin for the progress it had made on human rights by enhancing legislative structures to ensure the harmonization of national legislation with international standards. It praised the country's submission of its periodic reports to the treaties bodies.

34. Ethiopia commended Benin for its protection and promotion of human rights. It praised its commitment to make education accessible to all, which, in its opinion, had been fulfilled gradually over the past 10 years.

35. France praised the adoption of the Children's Code, the Code of Criminal Procedure and the text on the creation of the Human Rights Commission. It commended the policies on the protection of children, the development of the justice system and combating violence against women. It was, however, concerned at the situation of vulnerable persons.

36. Georgia praised the ratification of several international agreements and conventions by Benin, including the Second Optional Protocol to the International Covenant on Civil and Political Rights and the adoption of the Children's Code. While welcoming the establishment in 2013 of the Human Rights Commission, it regretted that it was still not operational.

37. Germany expressed appreciation for the efforts undertaken by Benin to implement the recommendations it had received during its second review and the constructive way in which it was dealing with them. However, Germany remained concerned at the continuing human rights violations.

38. Ghana welcomed the ratification of international treaties by Benin and the national plan to combat racial discrimination, the National Health Development Plan (2009–2018), the national policy to protect children and the national policy on the development of the justice system. Ghana urged Benin to ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

39. Cuba noted that Benin had taken measures to harmonize its national legislation and adopt policies on human rights. Cuba praised the commitment by Benin to apply a new

policy on social security to improve access to social services for all citizens, especially for the poorest.

40. Haiti commended recognition by Benin of the competency of the African Court of Human and Peoples' Rights to receive complaints from non-governmental organizations (NGOs) and individuals. It welcomed the decision by Benin to exempt girls from paying school fees for secondary education and the adoption of the Children's Code.

41. The Holy See noted the legislative progress in Benin and the initiatives to foster protection, education and health-care services for children, and the birth registration programme to help to combat child trafficking and other forms of slavery. It mentioned the efforts to eradicate the killing of so-called "witch children".

42. Honduras commended the adoption of the national action plan against racism, racial discrimination, xenophobia and related intolerance. It also noted the decision of Benin to exempt girls from paying school fees for secondary education.

43. Iceland welcomed the progress made by Benin since its second review, including the adoption of the Children's Code. However, it noted that there was room for improvement.

44. India welcomed the establishment of a national authority to combat corruption. It noted the measures taken by Benin to combat poverty, strengthen the justice system, generate employment, combat violence against women and children, and implement the right to health. India encouraged Benin to complete the process of setting up its Human Rights Commission and ensuring its independence.

45. Indonesia commended the commitment of Benin to make education accessible to all and the adoption of the Children's Code. It welcomed the establishment, in 2016, of a national framework, through a national charter for social dialogue, to prevent and manage social conflicts, strengthen the democratic process and promote good governance.

46. Iraq welcomed the strengthening of the legal framework for the protection of children, the adoption of the Information and Communication Code and the adoption of the action plan against racial discrimination.

47. Ireland commended Benin for the abolition, in practice, of the death penalty. However, it noted that the sentences of death-row inmates had not yet been commuted. It welcomed the adoption of the Information and Communication Code, although it noted reports of restrictions and suspension of independent media outlets, and that some media offences were still punishable by prison sentences or heavy fines.

48. Italy commended Benin for the adoption of the Information and Communication Code, the Children's Code and the new Code of Criminal Procedure, and for the ratification of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

49. Kenya commended Benin for the efforts it had made in the implementation of the recommendations from previous universal periodic reviews and its engagement with human rights mechanisms, and encouraged it to maintain its efforts in implementing the outcome of the present review.

50. Libya welcomed the progress achieved in strengthening the judiciary and harmonizing national legislation with international standards, and the ratification of a number of international and regional instruments.

51. Madagascar welcomed the measures adopted to combat poverty, strengthen the judiciary, reduce prison overcrowding and combat violence against women and children. It commended the ratification of several international and regional instruments.

52. Malaysia welcomed the efforts made to harmonize the national legislation with international standards, and advancements made in the field of health, education, women's rights, children, housing and land management. It commended the new policy on social protection and access to basic social services, but it noted that infant, neonatal and maternal mortality rates remained high.

53. The Maldives welcomed the Government Action Programme 2016–2021, extension of the free education policy to higher education, steps towards universal access to drinking water and adoption of the Children's Code, the national policy to protect children and the national action plan incorporating the provisions of the Convention on the Rights of the Child.

54. Mali congratulated Benin for the adoption of the Children's Code and the Information and Communication Code, the creation of the Human Rights Commission, the programmes of the National Agency for the Promotion of Employment, the facilitation of access to credit and the microcredit programmes for the poorest people, the national fund to promote youth employment and the establishment of a national corps of young volunteers to boost development. It encouraged the international community to support the efforts of Benin.

55. Mauritania commended Benin for the strengthening of its legal framework for the promotion and protection of human rights, and for progress made towards employment of young people, better access to basic social services and health care, and improving the quality of health-care services.

56. Mauritius congratulated Benin for the adoption of its Government Action Programme 2016–2021, the Children's Code and the child protection policy and related action plan. It welcomed measures to improve access to drinking water, health services and housing, provide free higher education and support the economic empowerment of women and the nationwide birth registration campaign.

57. Mexico acknowledged the progress of Benin in the area of freedoms of expression and opinion, and measures to improve access to justice and the prison system. Mexico welcomed the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights and the approval of the Code of Persons and Family and a national action plan to combat racism, racial discrimination and xenophobia.

58. Montenegro welcomed the adoption of the action plan against racial discrimination and the law on the promotion and protection of the rights of persons with disabilities, but noted the concerns of the Committee on the Rights of the Child concerning the exclusion of children with disabilities. It regretted that a new Criminal Code abolishing the death penalty had not yet been adopted.

59. Morocco commended the adoption of the Children's Code and a national policy to protect children, the establishment of standards applicable to children's shelters and protection centres and the development of an action plan to eliminate the worst forms of child labour. It welcomed the creation of the Human Rights Commission and provisions in the Criminal Code and Code of Criminal Procedure to criminalize torture.

60. The delegation of Benin thanked the Member States for the recommendations made and gave assurances that they would be taken into account.

61. On the question of the suspension, qualified as arbitrary, of certain media outlets, the delegation referred to the recent adoption of an Information Code and the need to observe the rule of law; it also referred to the Audiovisual and Telecommunications Authority, an independent body established under the Constitution.

62. The delegation also stressed that the security forces had not used excessive force while policing recent demonstrations. It indicated that the Government would have applied sanctions in the event of police abuse.

63. With regard to the recommendation to register the births of all citizens, a registration mechanism for registering the Beninese population had been set up to ensure that every citizen was provided with biometric and digital civil-status records so that they could assert their civil, economic, social and political rights.

64. As for strengthening the judicial system, the process of providing resources and recruiting 118 young trainee judges, in addition to the 150 members of the judiciary already employed, continued.

65. Concerning the prison population, the delegation indicated that the number of prisoners had decreased from 7,247 in 2012 to 6,297 in 2017 (out of a national population of more than 10 million). There were 179 minors, including 7 girls, and 243 women, including 26 mothers of young children, held in prisons in Benin. The separation between the male/female and adult/minor quarters had been ensured thanks to the organizations and strategic partners that had provided assistance to Benin on separation measures.

66. Of these prisoners, 60 to 70 per cent were incarcerated on a temporary basis and few would be subject to criminal sanctions. Benin had just adopted a decree to separate prisons from correctional facilities. A prison agency had recently been created to deal exclusively with prison establishments.

67. The delegation added that the Beninese Human Rights Commission was also being set up.

68. In addition, the Beninese Criminal Code, currently under consideration by the National Assembly, would contain material relating to crimes against humanity and torture.

69. The delegation then recalled that the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, had been ratified. The Supreme Council of Justice was going to adopt a decree commuting the death penalty to appropriate penalties.

70. Also on the subject of the ratification of treaties, the delegation recalled that the Convention on the Elimination of All Forms of Discrimination against Women had been ratified.

71. The delegation affirmed that prosecutions had been carried out and sentences handed down for impermissible actions against *vidomegon* children.

72. With regard to cultural or ritual mutilation and infanticide, the Government was not aware of any cases that had not resulted in prosecutions. In addition, an awareness-raising campaign had been launched in traditional places of worship where children were provided with education and health care, and irregularities observed were punished.

73. Namibia commended Benin for the progress it had made in implementing the recommendations of its second review, despite the various challenges regarding capacity faced by the country, and encouraged it to continue implementing the Government Action Programme 2016–2021 with emphasis on its third pillar on improving the living conditions of the population.

74. Nepal welcomed the adoption of the law creating the Human Rights Commission and encouraged Benin to make it operational as early as possible. It commended Benin for the launch of a national policy to protect children and related action plan, steps taken towards the abolition of the death penalty and protecting women's rights and economic, social and cultural rights.

75. The Netherlands welcomed the efforts to improve prison conditions and abolish the death penalty. It encouraged Benin to develop a concerted strategy to reduce prison overcrowding and remove the death penalty from all national legislation.

76. Nigeria welcomed the creation of the Human Rights Commission, a national authority to combat corruption and the regional offices of the Ombudsman. It also welcomed the improvements in prison conditions and the efforts made to bring national legislation into line with international standards.

77. Pakistan welcomed the efforts made towards the eradication of poverty, ensuring women's rights and combating violence against women. It appreciated the adoption of the Children's Code and the national policy to protect children and its action plan.

78. Portugal thanked Benin for its report and welcomed the establishment of a programme of "child-friendly" courts.

79. Qatar welcomed the ratification by Benin of a range of international instruments and the setting up of human rights bodies. It commended initiatives that had been undertaken to facilitate the population's access to health services.

80. The Republic of Korea commended Benin for its 14-point national implementation plan following its second review, and for the adoption of the Children's Code and of the new Code of Criminal Procedure, guaranteeing the right to a fair trial.

81. The Republic of Moldova welcomed the strengthening of the legal protection of children, the justice system development policy, the action plan against racial discrimination, the adoption of a document on the standard operating procedures to be followed in combating violence against women, the recognition of the competence of the African Court on Human and Peoples' Rights to receive cases from NGOs and individuals. It asked whether the rights of children to be heard and participate in public life were ensured in the legislation.

82. Rwanda commended the efforts that had been made to improve the social and economic status of the population and to accede to the Convention on the Prevention and Punishment of the Crime of Genocide. It encouraged Benin to remove provisions pertaining to the death penalty from its Criminal Code.

83. Saudi Arabia praised the measures that had been taken by Benin to encourage the employment of young people, especially through programmes carried out by the National Agency for the Promotion of Employment and the facilitation of credit and microcredit.

84. Senegal welcomed the adoption of a national action plan against racial discrimination, the signing of a national charter on social dialogue by the Government, the National Employers Council and trade unions, and the adoption of the Government Action Programme 2016–2021.

85. Sierra Leone commended the adoption of a national action plan against racial discrimination, the Children's Code and the Government Action Programme 2016–2021. It also commended Benin for hosting the African symposium for human rights defenders in 2017.

86. Slovenia noted with appreciation the adoption of the Children's Code and a national policy to protect children, and the accession of Benin to the Second Optional Protocol to the International Covenant on Civil and Political Rights. It expressed concern at the prevalence of, and impunity for, female genital mutilation and early and forced marriages, especially in rural areas, and at prison overcrowding and the conditions of detention. It encouraged Benin to bring its Criminal Code into line with its international commitments.

87. South Africa welcomed the Constitutional Court's ruling on the illegality of the death penalty, and commended Benin for the Children's Code and the promotion of youth employment. It also welcomed the improvement of the screening and care of people living with HIV/AIDS, as well as the setting-up of integrated support centres for victims of gender-based violence.

88. South Sudan commended Benin for ratifying several regional and international legal instruments. It noted with satisfaction that Benin had adopted several laws during its second review, and the incorporation of the Convention on the Rights of the Child into the Children's Code.

89. Spain welcomed the creation of the Human Rights Commission and the ratification of the Convention of the Rights of Persons with Disabilities and its Optional Protocol.

90. The State of Palestine commended Benin for the adoption of the Children's Code and echoed the recommendation to adopt a comprehensive strategy with local protection mechanisms accessible to children. It welcomed the acceptance by Benin of the recommendation made during its second review to provide free education.

91. Sudan commended the ratification and/or adoption of several regional and international conventions and strategic plans. It encouraged Benin to improve women and children's rights and the situation in prisons. It encouraged Benin to take the necessary measures to fight poverty and support social and economic rights.

92. Switzerland welcomed the adoption of the 2015 Children's Code. However, it noted that numerous challenges persisted in that area. It also noted that the health system was still fragile and that emergency care was not accessible to all.

93. Timor-Leste commended the adoption of the action plan against racism, racial discrimination, xenophobia and related intolerance and the Government's decision in 2015 to exempt girls from fees for secondary schools.

94. Togo commended Benin for the improvements it had made in the field of human rights and the various positive legislative changes, and the creation of a national institution to promote women's rights and of a national authority to combat corruption. Togo called on the international community to continue supporting Benin in its efforts to improve the situation of vulnerable persons.

95. Tunisia welcomed the steps taken by Benin to implement recommendations from the previous cycle. It commended the cooperation of Benin with UNHCR and the establishment of the Human Rights Commission.

96. Turkey welcomed the adoption of the Children's Code in 2015 and the decision to exempt girls from fees at secondary schools. It appreciated the legislative progress in Benin and the national action plans in the area of human rights.

97. Ukraine welcomed the adoption of the Children's Code, the Information and Communication Code and the law on the establishment of the Human Rights Commission. Ukraine recognized the commitment of Benin to eliminate torture and the steps taken in that regard, including the adoption of new laws and the organization of related training programmes.

98. The United Kingdom welcomed the decision of the Constitutional Court to abolish the death penalty. It urged Benin to implement recommendations regarding prison conditions. It remained concerned at the continued practice of ritual infanticide and urged Benin to work closely with experts and NGOs to eradicate it. It supported recommendations from the Special Rapporteur on the sale of children and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material. While welcoming the measures taken in the security sector, it remained concerned at the lack of independence of the judiciary.

99. The United States recognized the efforts of Benin to protect children from human trafficking. However, it remained concerned at the lack of sufficient measures and that the penalties for trafficking crimes were weak. It applauded the launch of a national authority to combat corruption and the collaboration between the Government and civil society actors on good governance and transparency initiatives. It noted that early and forced marriage continued to be a major problem in Benin.

100. Uruguay, while welcoming the measures that had been taken by Benin to eliminate gender imbalance, it shared the concern of OHCHR at the absence of a national mechanism for monitoring the rights of women and the lack of related data. Uruguay welcomed the advances regarding birth registration further to the creation of the General Direction of the Civil Registry. It was concerned at the observations made by the United Nations Educational, Scientific and Cultural Organization regarding the accessibility and quality of education.

101. The Bolivarian Republic of Venezuela welcomed the legislative progress that had been made in Benin, including the adoption of the law on community work in 2016 and the Children's Code in 2015. It highlighted the implementation of the Government Action Programme 2016–2021, aimed at strengthening democracy.

102. Viet Nam welcomed the results of Benin in implementing the recommendations made during the second cycle, and the public policies to promote and protect economic, social and cultural rights, in particular the adoption of laws on promoting and protecting the rights of persons with disabilities and the Children's Code. It noted the challenges faced by Benin regarding food security, access to drinking water and housing.

103. Zambia noted with satisfaction the measures taken to combat poverty, strengthen the justice system, reduce prison overcrowding, combat violence against women and children and promote economic, social and cultural rights, including improving prison conditions.

104. Zimbabwe welcomed the creation of the Human Rights Commission, the adoption of the Children's Code and the development of the national action plans to combat and

eliminate the worst forms of child labour and racial discrimination. It also noted the measures that had been taken by Benin to promote youth employment, and the rights to water, food, housing, health and education.

105. Algeria noted that the legislative framework had been reinforced regarding the rights of children, communication and information, elections and justice. It welcomed the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and People's Rights, and the creation of a national institute to promote the rights of women, a national authority to combat corruption and shelters for children.

106. Angola welcomed the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and People's Rights and the adoption of the Human Rights Commission and a national action plan on the elimination of the worst forms of child labour.

107. Argentina thanked Benin for the submission of its national report and made recommendations.

108. Armenia, while welcoming progress made at the legislative level, remained concerned at the persistence of discrimination against women. It welcomed the decennial plan on education and encouraged Benin to ensure free education for all and increase school enrolment for girls. It also encouraged Benin to improve access to birth registration.

109. Australia commended Benin on the removal of provisions for the death penalty from its Code of Criminal Procedure and on its contribution to the launch of the African Union Campaign to End Child Marriage and its related national campaign. Australia was concerned at the reportedly poor conditions in prisons in Benin.

110. Azerbaijan welcomed the establishment of a national authority to combat corruption and the fact that Benin had started to organize competitive recruitment of civil servants. It also commended the efforts of Benin to implement the right to education, in particular its policy on free education.

111. The delegation thanked all speakers and confirmed that their expressions of encouragement would be taken into account.

112. On issues relating to forced labour and forced marriage, the delegation promised that such acts would be prosecuted and that responses to the recommendations would be provided.

113. With regard to the independence of the judiciary, Benin stated that it was making every effort to strengthen its judicial system by extending the judicial map and recruiting clerks and more judges.

114. In a difficult national and global context, satisfying the economic, social and cultural rights of citizens was proving difficult to achieve. However, the Government of Benin remained focused on the human rights situation.

115. In addition, Benin had undertaken to follow up on all the comments it had accepted, including those relating to the establishment and functioning of the Beninese Human Rights Commission.

116. The delegation appealed to technical and financial partners to continue to support Benin in implementing development programmes, including for the promotion and protection of human rights.

117. In conclusion, the delegation reiterated its appreciation to the troika, Council members, Member States and the Office of the United Nations High Commissioner for Human Rights for their support.

II. Conclusions and/or recommendations

118. **The recommendations formulated during the interactive dialogue listed below have been examined by Benin and enjoy the support of Benin:**

118.1 **Speed up the ratification process of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Burundi); Step up efforts to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia); Promptly ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);**

118.2 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Montenegro) (Portugal);**

118.3 **Speed up the ratification process of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which establishes a communication procedure (Burundi);**

118.4 **Promptly ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Guatemala);**

118.5 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq);**

118.6 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Mexico);**

118.7 **Accelerate the process of ratification of the international instruments listed in the national report (see para. 13) (Madagascar);**

118.8 **Ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization (Guatemala);**

118.9 **Sign the Treaty on the Prohibition of Nuclear Weapons (Guatemala);**

118.10 **Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);**

118.11 **Intensify efforts to submit national reports to the various treaty bodies (Iraq);**

118.12 **Adopt an open, merit-based selection process when selecting national candidates for treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

118.13 **Take specific and effective measures to make the Human Rights Commission fully operational, and also to guarantee the Commission's independence by ensuring adequate resources and financial autonomy as recommended by the Human Rights Committee (Bangladesh);**

118.14 **Speed up the process of selecting the members of the Human Rights Commission to make it operational (Côte d'Ivoire);**

118.15 **Appoint the members of the Human Rights Commission and provide the necessary means for its functioning and independence (France);**

118.16 **Appoint the members of the Human Rights Commission and ensure their independence by providing them with financial autonomy and sufficient human and material resources to carry out their mandate, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (Guatemala);**

118.17 **Continue efforts to make sure that the Human Rights Commission functions in an effective and independent manner (Georgia);**

118.18 **Make the national Human Rights Commission operational (Germany);**

118.19 **Continue the establishment of the Human Rights Commission (Iraq);**

118.20 **Take the necessary measures to ensure that the national Human Rights Commission is fully functional and equipped with the necessary mandate and resources in accordance with the Paris Principles (Nepal);**

118.21 **Undertake the necessary steps to ensure that the national Human Rights Commission operates in accordance with the Paris Principles, particularly in terms of its financial independence and with sufficient human and material resources to enable it to effectively exercise its mandate (Netherlands);**

118.22 **Ensure that the national Human Rights Commission operates in compliance with the Paris Principles, particularly in terms of its financial independence (Republic of Korea);**

118.23 **Finalize the set-up of the Human Rights Commission and ensure its functioning in accordance with the Paris Principles (Republic of Moldova);**

118.24 **Enhance its efforts to strengthen the effectiveness of its human rights institution to bring it fully into line with the Paris Principles (Rwanda);**

118.25 **Set up the Human Rights Commission, which was created in 2013 (Senegal);**

118.26 **Expedit the functionality of its national human rights institution (Sierra Leone);**

118.27 **Expedite the setting up of the Human Rights Commission (South Africa);**

118.28 **Continue to build up the national human rights institutional framework, in particular the Human Rights Commission, and ensure its effective functioning (Ukraine);**

118.29 **Fully capacitate and empower the national institute for women (South Africa);**

118.30 **Continue efforts to harmonize nation legislation with international conventions to which Benin is a party (Qatar);**

118.31 **Take all necessary measures to ensure that national human rights instruments are rigorously implemented (Burkina Faso);**

118.32 **Speed up the process of adoption of the new Criminal Code (Georgia);**

118.33 **Expedite the adoption of the draft law on trafficking in persons in accordance with international law (Iceland);**

118.34 **Promulgate the adopted texts in order to make them effective and operational (Madagascar);**

118.35 **Adopt the various legislative recommendations, including the act on gender and women's participation in political life, and a national monitoring mechanism for women's rights (Namibia);**

118.36 **Expedite legislation to criminalize torture and bring perpetrators to justice, in accordance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Republic of Korea);**

118.37 **Adopt the new Criminal Code so as to finally exclude the death penalty from its legislation (Republic of Moldova);**

118.38 **Expedite the adoption of the draft law on trafficking in persons, in accordance with international law (Timor-Leste);**

118.39 **Speed up the adoption of the new Criminal Code (Zambia);**

118.40 **Ensure that Parliament adopts all the pending legislation (Zambia);**

118.41 **Bring its national legislation into conformity with the provisions of the international human rights instruments to which it is a party (Zimbabwe);**

118.42 **Pass legislation as soon as possible to ensure that the Second Optional Protocol to the International Covenant on Civil and Political Rights is implemented in domestic law as soon as practicable (Australia);**

118.43 **Continue efforts to combat discrimination (Morocco);**

118.44 **Continue to promote economic and social sustainable development, raise people's standard of living and lay a solid foundation for the enjoyment of all human rights by its people (China);**

118.45 **Continue to establish policy to support the creation of income-generating activities through the provision of ongoing training, the promotion of entrepreneurship and the granting of credit to specific projects (Ethiopia);**

118.46 **Implement pillar 3 of the Government Action Programme 2016–2021, which focuses on improving the living conditions of the population (Cuba);**

118.47 **Continue to mobilize resources and the necessary technical support to further enhance its capacity to fulfil its human rights obligations (Nigeria);**

118.48 **Sustain and scale up the ongoing efforts to attain the Sustainable Development Goals, such as access to drinking water, food security, access to health care and education (Nigeria);**

118.49 **Consider adopting development plans to improve the living conditions of the vulnerable populations, especially women and children (Pakistan);**

118.50 **Further strengthen its efforts to combat poverty for provision of equitable access and resources to all its people (Pakistan);**

118.51 **Continue and further expand its microcredit programme for the poorest people and ensure loan allocations to women (Pakistan);**

118.52 **Develop infrastructure in rural areas to enable better access for people to basic social services (Senegal);**

118.53 **Continue strengthening its social programmes to improve the quality of life of its people, in particular the most in need, with the assistance and cooperation that the country requests (Bolivarian Republic of Venezuela);**

118.54 **Take further proper legislative measures to abolish the death penalty (Ukraine);**

118.55 **Commute the sentences of the last individuals to be sentenced to death and work to improve the detention conditions in the country's prisons (Canada);**

118.56 **Complete the process aimed at the abolition of the death penalty (Central African Republic);**

118.57 **Adopt, as soon as possible, the Criminal Code containing the provisions on the abolition of the death penalty and the criminalization of torture, and adopt the law criminalizing all forms of trafficking and the decrees of application of the Children's Code (France);**

118.58 **Approve the Criminal Code and, in particular, the abolition of the death penalty (Holy See);**

118.59 **Reflect the abolition of the death penalty in its legislative framework and commute existing death sentences to prison sentences (Ireland);**

118.60 **Commute the sentences of the inmates currently sentenced to death and, having already acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights, speed up the adoption of the new Criminal Code to abolish the death penalty (Namibia);**

118.61 **Take appropriate measures to fight against so-called acts of popular justice (Congo);**

118.62 **Undertake investigations on extrajudicial killings in order to bring the perpetrators to justice and to provide reparation to the victims or to their families (Montenegro);**

118.63 **Make torture a criminal offence in accordance with the Convention against Torture (Zambia);**

118.64 **Conduct prompt and impartial investigations into allegations of torture and ensure that anyone committing such a crime receives a punishment commensurate with the gravity of the act (Zambia);**

118.65 **Launch the human rights educational programmes for law enforcement officers on combating torture and respect for human rights (Ukraine);**

118.66 **Strictly apply the provisions of the Code of Criminal Procedure, in particular those relating to the maximum period of detention on remand (France);**

118.67 **Take steps to reform the prison system and to ensure the protection of the rights of detainees (Italy);**

118.68 **Continue improving the often still precarious conditions in Benin prisons (Germany);**[1]

118.69 **Continue its efforts aimed at improving detention conditions (Central African Republic);**

118.70 **Take all necessary measures for the strict separation of detainees according to their age, sex and status, with the aim of improving prison conditions, as follow-up to paragraphs 108.34, 108.36, 108.37 and 108.38 of the recommendations from the second cycle (Haiti);**

118.71 **Redouble efforts to improve the conditions of the detention facilities, with particular consideration for women and children, and expedite trials (Holy See);**

118.72 **Improve prisons and the living and health conditions in detention facilities and, in particular, end overcrowding and the lack of sanitation, enable easy visits by the relatives of children and prohibit and punish prison officers for acts of torture and ill-treatment (Kenya);**

118.73 **Take further steps to conclude the ongoing prison modernization (Nigeria);**

118.74 **Continue to improve prison conditions, enhancing measures already adopted to avoid overcrowding, malnutrition and poor sanitation, and end the abusive use of pretrial detention (Spain);**

118.75 **Continue efforts to improve prison conditions, prison capacity and find alternative solutions to imprisonment (Angola);**

118.76 **Address the overcrowding of prisons, including through actions to minimize long pretrial detention periods (Australia);**

118.77 **Guarantee the poorest people access to legal aid (France);**

118.78 **Support the efforts of the judiciary to effectively implement the adopted reforms by ensuring adequate financial support from the Ministry of Justice as foreseen in the national development plan in the area of justice (Germany);**

[1] The recommendation as read during the interactive dialogue was "Continue improving the often still miserable conditions in Benin prisons" (Germany).

118.79 **Significantly strengthen the cooperation between the different actors of the judiciary to avoid long pretrial detention and to ensure every citizen's right to a fair trial in due time (Germany);**

118.80 **Finalize the ongoing judicial reforms, in particular on the Criminal Code (Senegal);**

118.81 **Continue to strengthen efforts to provide better legal protection for vulnerable groups, especially women, children and youth, by increasing the number of specialized judges and providing free legal services for those who seek it (Netherlands);**

118.82 **Sustain and strengthen nascent anti-corruption and transparency initiatives, in consultation with civil society, including through follow-on discussions to the national anti-corruption forum held in June (United States of America);**

118.83 **Revise the bill on freedom of association, freedom of expression and freedom of assembly, submitted in 2012, which is currently pending review by the Supreme Court, with a view to adopting legislation that will protect the rights of civil society (Canada);**

118.84 **Continue its efforts to establish efficient and transparent public services (Azerbaijan);**

118.85 **Take the necessary measures for the adoption of laws on the new Criminal Code, trafficking in persons and the prison system (Côte d'Ivoire);**

118.86 **Continue efforts to put an end to human trafficking and sexual exploitation of children (Iraq);**

118.87 **Legislate to counter human trafficking and protect victims (South Africa);**

118.88 **Take all necessary steps to enforce laws on forced labour, modern slavery and human trafficking, in particular on child trafficking (United Kingdom of Great Britain and Northern Ireland);**

118.89 **Finalize and enact legislation to criminalize all forms of human trafficking, as defined in international law, with sufficiently stringent penalties (United States of America);**

118.90 **Continue strengthening the action plan on the trafficking of human beings in order to prevent this crime, providing protection to victims and punishing the perpetrators (Bolivarian Republic of Venezuela);**

118.91 **Seek to legislate minimum standards for the elimination of people trafficking, including the trafficking of women and girls (Australia);**

118.92 **Continue applying effective measures for the promotion of employment among young people that allow fair and satisfactory labour conditions (Bolivarian Republic of Venezuela);**

118.93 **Continue its efforts to further promote the integration of young people into the labour market (Viet Nam);**

118.94 **Adopt integrated local development plans to improve the living conditions and living standards of vulnerable populations (Congo);**

118.95 **Continue to step up investment in agriculture and ensure food security (China);**

118.96 **Continue its efforts in the fight against hunger, in order to achieve food security and ensure that all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life (Brazil);**

118.97 **Take all necessary measures to reduce the proportion of populations suffering from hunger (Saudi Arabia);**

118.98 **Seek technical assistance to address food security challenges in order to mitigate the negative effects of malnutrition and poverty (Sierra Leone);**

118.99 **Set up strategies to support and strengthen the progress recently achieved in the area of food security (Viet Nam);**

118.100 **Take all necessary measures to promote access to clean drinking water for all (Saudi Arabia);**

118.101 **Continue efforts to ensure better access of the population to drinking water and sanitation (Algeria);**

118.102 **Continue to develop its health-care undertakings to better guarantee people's right to health (China);**

118.103 **Strengthen the public health system to ensure better access to primary care for all, especially through universal health coverage (Djibouti);**

118.104 **Continue the implementation of health services through policies aimed at strengthening infrastructure in urban and rural areas (Ethiopia);**

118.105 **Improve health-care infrastructure, access to emergency obstetric care, midwife training and health-care access for women from both rural and urban backgrounds (Holy See);**

118.106 **Adopt a comprehensive sexual and reproductive health policy for adolescents (Iceland);**

118.107 **Improve the health-care infrastructure, particularly by paying special attention to enhancing access to health care for women in poor and rural areas (India);**

118.108 **Improve health-care infrastructure in general to enable access to health care for all and especially access to emergency obstetric care, midwife training and resources devoted to maternal health (Kenya);**

118.109 **Increase efforts to reduce infant, neonatal and maternal mortality, through systematic prevention and treatment mechanisms and accessible maternal and infant health-care services (Malaysia);**

118.110 **Extend the access and improve the quality of services of prenatal, postnatal and obstetrics health care, in order to reduce the maternal mortality rate (Mexico);**

118.111 **Improve access for everyone to quality health services (Qatar);**

118.112 **Fully fund implementation of the new national plan to combat HIV-related stigmatization and discrimination (South Africa);**

118.113 **Set up an inclusive health policy to ensure that, in particular, emergency care is more effective and more accessible for all (Switzerland);**

118.114 **Continue efforts in order to provide health and education services to a larger part of the population and continue initiatives related to social housing (Libya);**

118.115 **Continue addressing illiteracy, particularly in rural areas (Indonesia);**

118.116 **Accelerate the implementation of the policy on free education, in order to ensure that all children, particularly those from disadvantaged households, are not deprived of their right to education (State of Palestine);**

118.117 **Continue providing human rights training within the municipalities and in schools providing general education (Cuba);**

118.118 **Provide free primary education, create a safe and protective environment for all children to keep them in the education system, especially those in rural and remote areas (Kenya);**

118.119 **Continue the measures to reinforce access to education (Morocco);**

118.120 **Strengthen school infrastructure, taking into account the concerns of women and girls, particularly as regards access to appropriate sanitation facilities (Portugal);**

118.121 **Ensure that sexual and reproductive health education is mandatory for all adolescents, irrespective of their gender (Portugal);**

118.122 **Improve hygiene conditions, nutrition and access to drinking water in schools (Portugal);**

118.123 **Strengthen literary programmes for women and girls living in rural communities (Sierra Leone);**

118.124 **Implement measures to reduce the high drop-out rate among girls from schools, ensuring free primary education (Uruguay);**

118.125 **Continue its efforts to increase the quality and availability of education at all levels and all over the country (Azerbaijan);**

118.126 **Continue efforts to stop violence against women (Egypt);**

118.127 **Step up efforts to disseminate information on the existence of new legislative provisions related to the prevention and prohibition of violence against women, ensuring women are duly informed of all the legal channels available to them (Belgium);**

118.128 **Ensure that cases of violence against women and children are thoroughly investigated, perpetrators are prosecuted and sentenced and victims receive reparation (France);**

118.129 **Strengthen efforts to prevent and combat all forms of discrimination and violence against women and children, in particular, practices such as female genital mutilation and child and early forced marriage. Ensure that victims of such violence receive appropriate help and that perpetrators are brought to justice (Italy);**

118.130 **Strengthen and implement measures to promote gender equality and equity, address the underrepresentation of women in decision-making bodies, gender-based violence and elimination of harmful traditional practices (Rwanda);**

118.131 **Redouble its efforts to significantly reduce the rates of neonatal and maternal mortality, harmful practices, such as female genital mutilation, child marriage and forced marriage (Burkina Faso);**

118.132 **Step up efforts to more efficiently implement the prohibition of female genital mutilation in all areas of the country and among all groups of citizens (Germany);**

118.133 **Ensure that cases of violence against women are investigated, perpetrators prosecuted and victims awarded reparation (Iceland);**

118.134 **Continue taking steps to reduce gender-based violence and promoting gender equality (Indonesia);**

118.135 **Implement a coordination strategy between the heath and justice authorities to prevent and punish acts of female genital mutilation (Mexico);**

118.136 **Establish a mechanism to facilitate victim identification and ensure prosecution and punishment of all acts of female genital mutilation (Slovenia);**

118.137 **Continue its efforts to reduce the prevalence of female genital mutilation in the country (South Sudan);**

118.138 **Make progress in eradicating violence against women, stepping up actions such as awareness-raising campaigns and the creation of shelters, and implementing measures to contribute to the eradication of female genital mutilation and child marriage (Spain);**

118.139 **Step up actions in the area of gender equality, including the implementation of the Women, Peace and Security Agenda to guarantee the participation of women in all areas of decision-making (Spain);**

118.140 **Implement measures and awareness-raising campaigns to eradicate female genital mutilation and other harmful practices against women (Uruguay);**

118.141 **Continue the measures already undertaken to strengthen the fight against harmful practices and violence against women (Armenia);**

118.142 **Continue efforts to combat discrimination against women and eliminate all forms of discrimination against them, especially domestic violence (Tunisia);**

118.143 **Take the necessary measures in law and in practice to put an end to discrimination between men and women regarding nationality (Algeria);**

118.144 **Adopt the draft law establishing quotas for women in elections, putting them in an advantageous position, as follow-up to paragraphs 108.42, 108.50 and 108.87 of the recommendations from the second cycle (Haiti);**

118.145 **Continue its efforts to promote women's rights by increasing the representation of women in both the public and private sectors (Maldives);**

118.146 **Continue the implementation of policies to encourage the sustainable economic empowerment of women, in particular in rural areas (Bulgaria);**

118.147 **Establish a national mechanism for the advancement of women in accordance with the 2030 Agenda for Sustainable Development (Honduras);**

118.148 **Continue efforts to protect the rights of women and children, as well as other vulnerable groups (Nepal);**

118.149 **Strengthen the literacy programmes for women and girls, in particular in rural areas (Turkey);**

118.150 **Take practical measures to ensure the full and proper implementation of the Children's Code, as recommended by the Committee on the Rights of the Child in 2016 (United Kingdom of Great Britain and Northern Ireland);**

118.151 **Ensure the effective implementation of the Children's Code with a view to protect the rights of this vulnerable group (Belgium);**

118.152 **Establish a national institution for the monitoring of children and the collection and analysis of the data concerning children (Cabo Verde);**

118.153 **Fast-track the implementation of the Children's Code in order to curb harmful practices against children, including child, early and forced marriages, the sale of children and the killing of so-called "sorcerer's children" (Namibia);**

118.154 **Ensure respect for the rights and fundamental freedoms of children through sanctioning the authors of all exploitation and forced labour practices (Argentina);**

118.155 **Carry out investigations into cases of harmful practices against children, ensure that the perpetrators are prosecuted and remove children from environments in which such practices are carried out (Belgium);**

118.156 **Provide legal aid to child victims and their guardians to strengthen their access to courts (Botswana);**

118.157 **Launch awareness-raising campaigns aimed at changing the attitude and practices related to ill-treatment and the abuse of children (Bulgaria);**

118.158 **Investigate and prosecute all persons responsible for harmful practices against children, following the adoption of the new Children's Code (Croatia);**

118.159 **Strengthen awareness and education programmes, prevent harmful traditional practices against women and girls and ensure that victims have access to resources and protection and rehabilitation mechanisms (Guatemala);**

118.160 **Pursue efforts by taking the appropriate measures favourable to the schooling of girls and their retention at school, in particular by fighting the practice of *vidomegons* (Djibouti);**

118.161 **Take further steps to design policies and programmes to address the ill-treatment and abuse of children and institute mandatory reporting procedures regarding child abuse (Iceland);**

118.162 **Strengthen its efforts to combat ill-treatment of and violence against children, and provide street children with the necessary protection, as well as the housing, medical services, education and access to social services they need (Mauritania);**

118.163 **Develop a strategic framework for the comprehensive protection of children as regards trafficking and sexual exploitation (Sierra Leone);**

118.164 **Make efforts to design and adopt policies and programmes to raise awareness concerning the ill-treatment and abuse of children (State of Palestine);**

118.165 **Guarantee the implementation and the effectiveness of the Children's Code, particularly making accessible the relevant public services and providing the necessary human and financial resources (Turkey);**

118.166 **Combat the exploitation of and violence against children (Turkey);**

118.167 **Continue efforts to strengthen the rights of the child, protect children from sexual exploitation and combat trafficking in children and early marriage (Tunisia);**

118.168 **Continue its efforts to combat child, early and forced marriages by addressing their causes through the effective implementation of the action plan for its national child protection policy (Canada);**

118.169 **Take appropriate and robust measures for the elimination of practices, such as the placement of children, early marriages and child trafficking (Central African Republic);**

118.170 **Implement the recently adopted Children's Code and prosecute all crimes and offences against children, including child marriage, sexual exploitation, female genital mutilation and trafficking in children (Brazil);**

118.171 **Adopt measures to put an end to harmful practices, such as early and forced marriages and genital mutilation, in line with the 2030 Agenda for Sustainable Development (Honduras);**

118.172 **Establish a national mechanism for the protection of the rights of children, and allocate human and financial resources for its functioning (Honduras);**

118.173 **Take the necessary measures to protect children from early marriage, trafficking and infanticide (Republic of Korea);**

118.174 **Continue efforts to ensure the effective implementation of the Children's Code to guarantee that those cases of ritual infanticide, sexual child abuse, trafficking in children and early marriage are prosecuted and sanctioned (Switzerland);**

118.175 **Strengthen information campaigns against early and forced marriage and enforce laws already in place (United States of America);**

118.176 **Adopt effective measures against child exploitation and trafficking, including raising public awareness, combating impunity and protecting victims (Spain);**

118.177 **Raise awareness among the communities on the prohibition of child labour, particularly in relation to the common social practice whereby a child, usually a daughter, is sent to live as a servant with a wealthier family, which lends itself to acts of human trafficking (Botswana);**

118.178 **Strengthen control mechanisms to prevent and combat the economic exploitation of children (Chad);**

118.179 **Strengthen the efforts to effectively fight child labour and child trafficking by taking more preventive measures and implementing more punitive measures (Germany);**

118.180 **Take additional measures on social, economic and legal protection to combat child labour (Angola);**

118.181 **Keep improving the system of child registration at birth and avoid any form of violence against children (Holy See);**

118.182 **Create a system of easy access for the registration of newborns (Honduras);**

118.183 **Intensify efforts to raise awareness among the public of the importance of birth registration and the birth registration process (Turkey);**

118.184 **Continue to step up efforts to guarantee that all births of children are registered, especially in rural areas (Uruguay);**

118.185 **Continue in its efforts to promote the rights of the child and consider setting up a centralized civil registration system (Mauritius);**

118.186 **Pursue its awareness-raising efforts on the importance of birth registration, provide birth certificates and protect persons from the consequences of non-registration (Sudan);**

118.187 **Improve the situation of persons with disabilities (Egypt);**

118.188 **Step up efforts to address prejudice against children with disabilities to ensure that such children have access to health care and inclusive education (Bulgaria);**

118.189 **Adopt the necessary policies to ensure that children with disabilities are given equal opportunities in education and ensure that they are fully integrated into school systems, free from discrimination of any kind (State of Palestine);**

118.190 **Ensure that children with disabilities have access to health care and combat the stigmatization of and prejudice against children with disabilities (Timor-Leste);**

118.191 **Accelerate the promulgation of the law on the promotion and protection of the rights of persons with disabilities and human trafficking (Zimbabwe).**

119. **The recommendations formulated during the interactive dialogue/listed below have been examined by Benin and have been noted by Benin:**

119.1 **Strengthen efforts to prevent and combat arbitrary detentions, extrajudicial executions and excessive use of force by the security forces (Italy);**

119.2 **Set specific, measurable, achievable and relevant goals, in consultation with all stakeholders, in order to reduce bureaucracy (Haiti);**

119.3 **Ensure that all national legislation complies with international standards on freedom of expression and media freedom, and take steps to prevent arbitrary suspension of media outlets (Ireland);**

119.4 **Resist calls to further liberalize abortion and instead implement laws aimed at protecting the right to life of the unborn, and recognize that life starts at conception (Kenya);**

119.5 **Take urgent measures to investigate and sanction before justice harmful practices, such as forced marriage, female genital mutilation, widowhood practice, levirate and sororate, and purification rites for adulterous women (Argentina);**

119.6 **Adopt measures against child activities in convents dedicated to voodoo, where child abuses take place. Additionally, take measures to sanction and prevent the practice of infanticide of so-called "witch children" (Honduras).**

119.7 **As almost 90 per cent of children in Benin have unfortunately been victims of violence at school, organize a national campaign for raising awareness against these unacceptable offences (Croatia).**

120. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Benin was headed by H.E. Joseph Fifamin DJOGBENOU, Garde des Sceaux, Ministre de la Justice et de la Législation, and composed of the following members:

- Son Excellence M. Eloi LAOUROU, Ambassadeur, Représentant Permanent;
- Son Excellence M. Boniface YEHOUETOME, Deuxième Vice-Président de l'Assemblée Nationale du Bénin;
- Mme A. Inès Laurenda HADONOU épouse TOFFOUN, Directrice de l'Administration Pénitentiaire et de la Protection des Droits Humains;
- M. Maurille BIAOU, Deuxième Conseiller;
- M. Jimy AGONGBONON, Premier Secrétaire;
- M. Pierre FANDY, Premier Secrétaire;
- M. Boris Pierre TOKPANOU, en service à la Direction de l'Administration Pénitentiaire et de la Protection des Droits Humains;
- Mme Fifamè GOUSSOUEMEDE épouse DOVONOU, Attachée.